DOCUMENT RESUME

ED 160 674 UD 018 547

AUTHOR Block, Eve E.; And Others
TITLE Failing Students-Failing Schools: A Study of Dropouts and Discipline in New York State.
INSTITUTION New York Civil Liberties Union, N.Y.
PUB DATE Apr 78
NOTE 215p.; Not available in hard copy due to reproduction quality of the original document
AVAILABLE FROM Statewide Youth Advocacy Project, 429 Powers Building, Rochester, New York 14614 ($3.75)

EDRS PRICE MF-$0.83 Plus Postage. HC Not Available from EDRS.
DESCRIPTORS *Academic Achievement; Compensatory Education; *Discipline; Discipline Policy; Dropout Prevention; *Dropouts; Educational Problems; Elementary Secondary Education; Failure Factors; *School Holding Power; *School Responsibility; Student Characteristics; Suspension; Truancy; Youth Problems
IDENTIFIERS *New York; *Statewide Youth Advocacy Project

ABSTRACT

This report focuses on underschooling in the State of New York. The study provides statistics on dropouts, examines students' reasons for leaving school, and analyzes the school histories of dropouts with respect to patterns of disruption, truancy, and academic failure. Suggestions of school administrators and dropouts on how students might be encouraged to remain in school are presented. Pupil achievement and compensatory education programs are also considered. The study hypothesizes a relationship between dropping out, prior school disciplinary problems, and academic inadequacy. Based on data from interviews, individual school districts, and central agency statistics, it is concluded that (1) the State does not provide appropriate education for over 500,000 students; (2) school disciplinary policies are seldom made public and are not clear; (3) students over 16 are frequently illegally excluded from school; (4) few schools provide a climate conducive to individualized education; and (5) the State Education Department does not adequately monitor the indices of school problems. (Author/AM)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED160674

FAILING STUDENTS - FAILING SCHOOLS

A STUDY OF

DROPOUTS & DISCIPLINE

IN NEW YORK STATE

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Eve E. Block

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC) AND USERS OF THE ERIC SYSTEM."

A publication of:
The Statewide Youth Advocacy Project

Written by:
Eve E. Block, Director
Jenny Covill-Servo, Research Director
Margery Fischer Rosen, Editor

UDO 18547

Other Publications of the Project:

THE EDUCATION LAW MANUAL FOR NEW YORK STATE SCHOOL ADVOCACY

For Information:

The Statewide Youth Advocacy Project
429 Powers Building
Rochester, New York 14614

Telephone: (716) 454-5413

Copyright April, 1978 © New York Civil Liberties Union
New York, New York

Acknowledgements

We wish to thank:

Loren Warboys, Project Counsel - Our constant legal resource, he has also provided gently critical editorial assistance.

Betty Clelland - Whose patience, devoted typing and retyping and home-baked cookies have made the report development process a pleasant one.

Dr. Wayne Mahood, Assistant Professor of Education at the State University at Geneseo - Who took part of his sabbatical leave to prepare a research paper on the Economic Effects of Dropping Out, to be used as background material for this report.

Dr. John Stiglmeier, Director of the Information Center of Education of the State of New York - His office has truly understood the meaning of public access to information. They have provided special assistance to assure that all pertinent information within their computers was accessible and understandable to us. Any mistakes made in the use of raw data are, of course, ours and not theirs.

We especially wish to express our gratitute to:

The Carnegie Corporation of New York and
The William T. Grant Foundation

for their support of this research, and to

The New World Foundation and
The Veatch Program

for their support of the on-going project activities.

The statements and views expressed in this report are solely the responsibility of the authors.

We wish to thank the volunteers whose efforts made this report possible:

Rochester Volunteers

Kathy Bardenstein
Douglas Best
June Castellano
Larry Covill
Deborah Karpatkin
Anna Marks
Gail Mott
Rochelle S. Richter
Lisa Rudolph
and others

Volunteer Coordinators

Barbara Bernstein (Nassau County)
Roger Cook (Buffalo)
Anne Kisner (White Plains)
Ronald Lindsey (Mt. Vernon)
Rosellen McFarland (Corning)
Rev. Arthur Melius (Schenectady)
Rose Miller (Schenectady)
Vivian Moore (Syracuse)
Sally Needleman (Syracuse)
Niki Stern (Yonkers)
Mariane Wineman (Albany)

In each of these areas, a number of local volunteer interviewers assisted the Coordinators. We are most grateful for their devoted work.

Photo Credits - Joe Flores, Rochester, New York

We are grateful to the superintendents of schools, and to the principals of: Albany, Buffalo, Corning, Hempstead, Mt. Vernon, Niagara falls, Oceanside, Rochester, Rockville Centre, Schenectady, Sewanhaka, Syosset, Syracuse, Uniondale, White Plains, and Yonkers who devoted their time and thoughtfulness to the interviews.

Our thanks also to the ex-students who helped us to understand their school experiences.

ABOUT THE STATEWIDE YOUTH ADVOCACY PROJECT

The Statewide Youth Advocacy Project, a special project of the New York Civil Liberties Union, seeks to implement the rights of young people. The Projects' staff provides training, technical assistance, and coordination of lay advocacy and litigation efforts for community groups throughout the state. Advocates for Children of New York coordinates similar efforts in New York City.

Since its inception in October of 1976, the Project has trained school advocates in communities throughout the state and has helped to establish advocacy groups in Buffalo, Syracuse, and Yonkers and in the Counties of Nassau and Westchester. These groups strive for the realization of the goal of appropriate education for all the children of their communities. They provide advocacy assistance to students and press school districts to implement needed policy change. The Project has focused its energies on building a network of concerned and knowledgeable advocates in the belief that a vigilant citizenry is needed to assure that public institutions meet their legal and moral obligations to the children of the state.

In addition, the Project has authored and distributed the Education Law Manual for New York State which serves as a resource to school districts and community groups in the State of New York.

In the months ahead, the Project will work for the implementation of the recommendations of this report, and will broaden its scope and its staff to work for the rights of youth in the juvenile justice system.

We urge the reader to join us in these efforts.

Eve E. Block,
Project Director
April 1978

TABLE OF CONTENTS

FORWARD	1
METHODOLOGY	3
CHAPTER ONE THE DROPOUTS	7
CHAPTER TWO ACHIEVEMENT	38
CHAPTER THREE DISCIPLINE	52
CHAPTER FOUR SUSPENSION	67
CHAPTER FIVE TRUANCY	95
CHAPTER SIX OVER 16	106
CHAPTER SEVEN NEED FOR APPROPRIATE EDUCATION	116
CHAPTER EIGHT FINDINGS AND RECOMMENDATIONS	136
EPILOGUE	149
FOOTNOTES	150
APPENDICES	153

FORWARD

If dropout rates continue at their present level, almost three-quarters of a million students presently enrolled in New York State schools will withdraw from high school before graduation. Over sixty thousand New York State youths now leave secondary school each year without graduating.* They leave as dropouts, as truants, and as pushouts. They leave to futures of lowered expections and dependency, to unskilled jobs, and to frequent unemployment. Without diplomas and without the skills basic to significant employment, these youths face doubtful futures.

The problem of out-of-school youth is one of major significance to the economic and social well-being of the State of New York. Each year in New York State, new dropouts join those from the preceding year and form a state pool of about a quarter of a million 16-to-20 year olds seeking employment.** The combination of underschooling and underemployment has bred a generation of young people who have few aspirations and great alienation from traditional societal values.

This report focuses on underschooling. We have sought to determine:

1. How many students leave.
2. Why they leave.
3. How school systems respond to students who:
   A. Fail to keep up in class;
   B. Fail to attend; and
   C. Fail to follow the customary and accepted pattern of classroom and school behavior.
4. What local schools and the state government can do to reduce the numbers of youth out of school.

There are no easy solutions, but ultimately the schools must learn to support and assist these children in trouble. The expense of their failure to do so is reflected in welfare costs and unemployment, in crime, and in human suffering. The United States Senate Select Committee on Equal Education Opportunity estimated that 25% to 50% of Aid to Families with Dependent Children (AFDC) and Medicaid expenditures could be avoided if all citizens received a high school education. Approximately 24% of all 16-to19 year olds in the New York State labor force are unemployed. More than twice as many young black men are without jobs. Over 90% of the New York State prison population left school prior to graduation.

The school is the one institution common to all youngsters which can intervene to alter the almost predictable pattern of future lives. Good

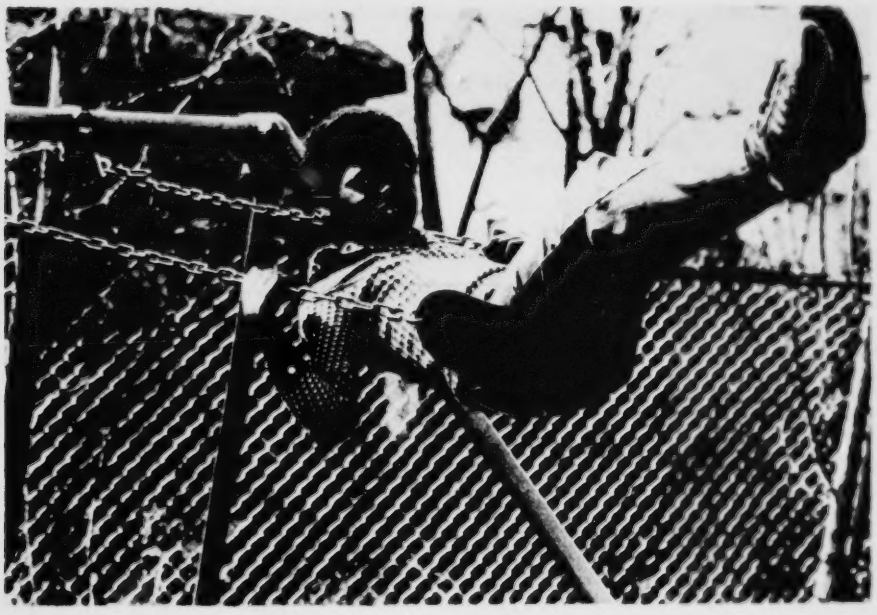
*See Appendix G for data source.

**The one-quarter of a million figure merely reflects the estimated number of dropouts for the past three years. These estimations are based on holding power adjusted for mobility. (See Chapter One and Appendix G for discussion.)

schools can give youngsters hope to transcend their environment by developing faith in themselves and justified confidence in their own abilities. Our society has charged the schools with the task of preparing a new generation to accept the responsibility for its tomorrows. To fulfill these obligations, the schools should be reaching out to include, not manipulating to exclude, those needy youngsters who most require guidance. Yet, annually we allow and encourage thousands of alienated youths to leave our schools as dropouts. In fact, in many cases, it is the schools themselves that are alienating youth. Too often, needy youngsters are taught that they are dumb, troublesome, and unwanted.

Secondary schools have traditionally been designed by and for the middle class which now sees high school education as the stepping stone to successful college experiences. Children of the working class and of the poor view high school as the place to prepare for jobs. It is these young people who most often become the dropouts, truants, and pushouts. When the academic going is hard, they can see little reason to suffer the humiliation of inadequacy; and when the rigidities of the system chafe, they can find little to be gained from the arbitrariness of its disciplinary policies.

Much has been said about these issues of school discipline, truancy, and dropouts, but few of the writers have addressed themselves to the situation from the point of view of those most directly involved. We decided, therefore, to approach the primary sources -- the schools and the dropouts themselves -- to learn more about what happens in schools and why so many teenagers are leaving before graduation.



METHODOLOGY

The data for this report are drawn from four primary sources: 1) interviews conducted with dropouts, school principals, superintendents, and attendance officers in numerous cities throughout New York State, 2) the Office of Civil Rights of the Department of Health, Education and Welfare (OCR), 3) the Bureau of Educational Data Systems of the State Education Department (BEDS), and 4) the central offices of various school districts throughout New York State. The purpose of this study, along with a detailed discussion of the various data, follows.

PURPOSE

We are concerned with the numbers of teenagers leaving high school before they have gained the skills necessary for economic independence. In order to come to a full understanding of the problem, we needed to:

1. Determine how many students were leaving high school before graduation;
2. Examine their stated reasons for leaving;
3. Analyze the school histories of dropouts with respect to patterns of disruption, truancy, and academic failure;
4. Gather together and compare the suggestions of school administrators and dropouts on how young people might be encouraged to remain in school until graduation;
5. Gain some understanding of the causes of truancy, often a precursor to dropping out;
6. Become familiar with the problems involved in control of truancy; and
7. Document what happens to disruptive students when they become 16.

Hypothesizing a relationship between dropping out and prior school disciplinary problems, we set out to:

1. Examine the disciplinary policies of various school districts;
2. Determine to what extent the guidelines for suspensions set forth in Education Law 3214 are followed; and
3. Learn about any innovative programs the schools may be using to ameliorate the disciplinary problems of all students, and of potential dropouts in particular.

Assuming, also, a relationship between dropping out and academic inadequacy, we set out to:

1. Analyze the results of the New York State Pupil Evaluation Program (PEP) tests in selected districts; and
2. Examine the compensatory education programs designed to help children having special academic needs.

Additionally, the interviewing was to serve as an educational experience

for a growing advocacy network in New York State. We believed that by conducting the interviews, the volunteer advocates would gain first-hand knowledge of their school districts' procedures and attitudes. Such knowledge would, in turn, enable them to function more effectively in their communities.

SAMPLE DISTRICTS

The districts included in our sample, then, were selected according to the availability of advocacy groups volunteering to conduct the research. Interviews were conducted in Buffalo, Rochester, Syracuse, Yonkers, Niagara Falls, Albany, Hempstead, Mount Vernon, Schenectady, Corning, and in various smaller districts in Nassau County. In the larger cities, we asked our volunteers to interview thirty dropouts, all secondary school principals, the superintendent, and the director of attendance. In the smaller districts, the goals were less ambitious: volunteers were asked to reach as many administrators and/or dropouts as they could. The number of people actually interviewed in each district is listed on Table 1.

Dropouts - It was not possible to interview a random sample of dropouts. In order to engage in random sampling, a researcher must have access to the names of all members of the population of interest; i.e., New York State dropouts. However, such information is not available to the public. We, therefore, contacted dropouts where they were most available to us. We looked for dropouts in a variety of training programs, high school equivalency classes, drug rehabilitation programs, park and recreation facilities, and prisons; in other words, wherever we could get them. We asked for dropouts willing to volunteer 45 minutes of their time to answer some questions concerning their high school experiences. (See Appendix A for interview forms used.) To assure that our subjects' stories reflected current practices, only those dropout volunteers who had been out of school for less than four years were interviewed.

School Administrators - Our local affiliates contacted their school districts directly and requested an hour-long interview with all secondary school principals. In general, the cooperating groups spoke first with the superintendent to gain his approval and to set a time to meet with him. Then each principal was contacted individually and an appointment time scheduled. (See Appendix B for a description of interviewer training and data analysis.)

Limits of Interview Data - There is a problem inherent in any research in which people are asked about their behavior. That is, there may be a world of difference between what people <u>say</u> they do and what they actually do, or between what they report happened and what did in fact happen. We tried to lessen this possibility by trying to be non-threatening, and by asking for key information in more than one way. However, we must assume that what school administrators revealed to us is somewhat better than what actually occurs in their schools, and that what dropouts told us is somewhat worse than what actually happened.

A limitation imposed by non-random sampling (as ours was) is that we cannot generalize from our sample to all school districts, or from our sample to all dropouts. Our study, then, is descriptive. We can tell you what some school officials do in our sample cities; however, we cannot tell you what happened in other cities or towns. (Since we interviewed most secondary school principals in the cities of interest, we will make general statements about policies and practices in those districts.) We can tell you what the dropouts we interviewed said; however, we cannot say that their school experiences are typical of all dropouts. Because in interpreting our data we emphasize only those findings which replicate those of previous studies, we do, at times, assume that the dropouts we interviewed speak for many dropouts in the 1970's.

TABLE 1

NUMBER OF DROPOUTS AND SECONDARY SCHOOL PRINCIPALS INTERVIEWED IN OUR SAMPLE DISTRICTS

District Name	No. of Dropouts	No. of Principals	% of Principals
Albany	16	2	40
Assorted Upstate	10	0	0
Buffalo	30	14	70
Corning	13	5	100
Hempstead	7	2	100
Mount Vernon	14	1	100
Niagara Falls	0	7	100
Oceanside*	0	3	100
Rochester	30	15	100**
Rockville Centre*	0	1	50
Schenectady	8	4	57
Sewanhaka*	0	1	17
Syosset*	0	3	100
Syracuse	29	14	100
Uniondale*	0	3	100
White Plains	0	6	100
Yonkers	25	11	85
TOTAL	182	92	

*In these Nassau County districts, we made no attempt at total coverage.

**We did not interview the principal of one small alternative school.

Additional Data Sources - In order to answer all the questions posed, it was necessary to incorporate data collected by other agencies. BEDS cooperated by providing us with dropout and enrollment figures, PEP scores, and data indicating the percentage of students on welfare for the districts we examined.

From the Eastern Regional Office of OCR, we received copies of selected pages from the OS/CR 101 and 102 forms submitted to them on February 1, 1977 by local school districts. These forms indicate the number of students suspended, the number submitted to corporal punishment or expelled, the number of students who dropped out or who transferred to a formal alternative school, and the number referred to Family Court for placement. These data were most useful to us as OCR is the only agency categorizing this information by racial/ethnic group on a school-by-school basis.

We also contacted the central offices of the various school districts in our sample to request copies of their dropout and suspension figures. Many districts chose not to respond to our requests. In some cases, after numerous standard requests failed to yield any data, we were forced to request this information under the Freedom of Information Act. Even then, not all districts complied.

In some sections, we include materials brought to our attention by advocate groups across the state. Although not in quantifiable form, these case histories and verbal reports serve to illustrate issues only touched upon by our other data. In no instance do we accept an isolated case as evidence; when we make reference to advocacy reports, we are relying on a multiplicity of similar experiences.

We saw the information gathering and analysis as the preliminary to the formation of recommendations for change. We were researchers so that we could be knowledgeable advocates. As advocates, we direct this report to legislators, to educators, to parents, to community organizers, and to all those who recognize that the future of our society will be molded by the young people in school today.

CHAPTER ONE

THE DROPOUTS

Joe moved to a new town in time to repeat the 9th grade. He wasn't comfortable in the new school and requested to return to his former school. The request was denied (understandably, as it was in a different district) but there were no follow up discussions with staff to help him adjust to the new environment. He stayed for a year, but the following year was regularly truant, though he often hung around the building to see his friends. Even this disliked school had by now become a place to which he had ties.

Described by the interviewer as a 'sad young man,' Joe had been 'kicked out' of his own home and lived with foster parents. Soon he will have to leave there, too, as his 18th birthday is rapidly approaching. 'I really need a job, but I have my name in everywhere and no luck.'

Joe's school, too, had let Joe know he wasn't wanted. They had 'expelled' him -- without a hearing -- for non-attendance. But Joe would have gone to school if someone had made him feel welcome or if he could have learned the things he needed to know. His ideal school would be 'warm' with 'more choices and opportunities - like carpenter work - but in the regular school ... no detentions, no suspensions, and no expulsions.'

Small Upstate City
White
Male

In 1975-76, 65,000* New York State teenagers left school before they had earned their high school diplomas. In 1974-75, 64,000 left, as did 60,000 in 1973-74.** Today, their are about one-quarter-million teenagers in New York without their diplomas. These numbers are only estimates because accurate figures are not available--but estimates are not good enough.

Accurate figures are an obvious requirement for an investigation of the problems related to early withdrawal from school: how many students are leaving which schools and at what ages? The number of students needing service is a prerequisite to thoughtful planning for programs aimed at meeting the needs of potential dropouts. Furthermore, since school retention rates are one significant index of the success or failure of schools, the public has the right to the information necessary for evaluation on this criterion. Research, planning, and evaluation all require accurate figures, but there are no accurate official figures.

Useful recording procedures should also be designed to give an indication of the reasons for which students leave school before graduation. Is the

*This figure, and the ones following, includes those non-attenders over the age of 16. (Buffalo and New York City over 17.) Before that age, non-attenders are categorized as truants and not dropouts.

**See Appendix G for calculations.

student leaving because of factors within the school, and its control, or because of circumstances unrelated to the school? How many teen-agers leave voluntarily and how many leave because of administrative pressures to do so--because of subtle or direct "pushout" maneuvers?

We analyzed the data available to us, looking for accurate figures on the number of dropouts and for a fuller understanding of their reasons for leaving.

DROPOUTS - HOW MANY ARE THERE?

Inconsistent Figures - Determining the number of dropouts appears to be an easy task -- after all, dropout figures are made available to the public by a variety of agencies: The Bureau of Educational Data Systems of the State of New York (BEDS), The Office of Civil Rights (OCR), and the local school districts. However, as the following discussion will indicate, the dropout figures released by these offices are neither consistent nor accurate.

When we compared the dropout figures made available to us through the courtesy of BEDS, OCR, and the local school districts, we found that rarely did these sources agree on the number of dropouts. Since the only source for dropout statistics is the local district itself, and since OCR* and BEDS** report only those figures given to them by the district, the difference in figures is startling. Nonetheless, districts did report different figures to the federal and state agencies and to the local school boards. These findings were replicated in both large and intermediate size districts (Buffalo, Rochester, Syracuse, Albany, Schenectady, Niagara Falls, Poughkeepsie, Binghamton, and Lackawanna).

Table 2 shows the absolute and per cent difference in dropout totals for the districts in our sample. As this Table indicates, there is a consistent tendency to over-or underestimate the number of dropouts reported locally as compared with those reported to BEDS. Buffalo, Rochester, and Lackawanna tended to report less dropouts locally than they reported to the state (as indicated by the minus sign). Rochester was by far the worst offender, locally claiming 633 fewer dropouts than they reported to the state in 1972-73, and 433 less in 1973-74. Binghamtom, Schenectady, and Niagara Falls demonstrated a steadily increasing tendency to report more dropouts locally than to the state (as indicated by the plus sign). The data for Yonkers, Albany, and Mount Vernon revealed erratic inconsistencies.

*Some districts report to OCR as part of a random sample; other districts report because OCR has specifically asked for their data; usually this occurs as the result of some form of complaint or suspicion of racial or ethnic inequity within the district. Reporting districts are required to submit figures annually, indicating the number of males, females, blacks, orientals, Spanish-surnamed Americans, Indians, and others (whites) who dropped out during the academic year.

**One of BEDS functions is to act as a storehouse for data, supplying that information to interested groups, thus saving the districts the time and effort of responding to individual queries.

TABLE 2
NUMBER AND PERCENT DIFFERENCE BETWEEN DROPOUT FIGURES AS REPORTED BY BEDS AND BY DISTRICT CENTRAL OFFICE

Year	Actual Difference	% Difference	Year	Actual Difference	% Difference
	BUFFALO			**ROCHESTER**	
1975-76	-188*	-11.7	1975-76	+ 76	+14.7
1974-75	-289	-16.6	1974-75	- 10	- 2.5
1973-74	-147	- 8.5	1973-74	-433	-54.4
1972-73	District figures		1972-73	-633	-57.6
1971-72	not available		1971-72	-313	-37.5
	SYRACUSE			**YONKERS**	
1975-76	-181	-22.7	1975-76	+217	+51.9
1974-75	+465	+143.0	1974-75	+ 52	+10.5
1973-74	+299	+68.9	1973-74	+124	+27.8
1972-73	+ 28	+ 4.7	1972-73	+ 46	+12.0
1971-72	+164	+39.2	1971-72	+ 47	+12.2
	NIAGARA FALLS			**ALBANY**	
1975-76	+ 53	+16.9	1975-76	-117	-56.0
1974-75	+ 22	+ 6.3	1974-75	0	0
1973-74	+ 11	+ 3.5	1973-74	+ 5	+ 3.0
1972-73	- 34	- 9.2	1972-73	+ 85	+56.0
1971-72	+ 8	+ 2.6	1971-72	- 58	-19.0
	SCHENECTADY			**POUGHKEEPSIE**	
1975-76	+ 59	+26.7	1975-76	+ 20	+17.8
1974-75	+ 46	+19.7	1974-75	- 58	-32.0
1973-74	+ 38	+15.0	1973-74	- 35	-19.7
1972-73	- 7	- 2.7	1972-73	- 19	-10.9
1971-72	0	0	1971-72	+ 12	+ 8.5
	BINGHAMTON			**LACKAWANNA**	
1975-76	+104	+90.4	1975-76	- 22	-37.9
1974-75	+ 84	+77.7	1974-75	- 11	-18.3
1973-74	+ 83	+50.6	1973-74	- 3	- 5.4
1972-73	+ 26	+17.9	1972-73	No Data	No Data
1971-72	+ 17	+12.7	1971-72	No Data	

*NOTE: The plus sign (+) indicates that the central office locally reported MORE dropouts than they reported to BEDS; whereas a minus sign (-) indicates that the district locally claimed LESS. Using the BEDS figure as a point of reference, the percent sign (%) indicates the percent over- or under-count that this figure represents.

To further muddy the waters, the dropout figures reported to the Office of Civil Rights (OCR) for the 1975-76 school year were different from the figures reported either by BEDS or by the local school districts. (See Appendix C.)

Reasons for Inconsistant Data - The significant and surprising discrepancies seen in official figures result from the variety and inconsistency of the reporting procedures used at the local levels.

1. Omissions - Districts frequently do not report dropout figures for all the schools in their district. Figures from alternative and junior high schools are frequently omitted.

Tables 3 through 6 compare the dropout figures released by the state (BEDS) and local school districts (CO) on a school-by-school basis.* These tables clearly indicate that districts sometimes fail to report the number of dropouts from each school to the various agencies. (Such an omission is evidenced on the following tables by an asterick (*). A few such omissions were made by all of the districts in our sample. The Rochester City School District, however, was unique in the extent to which information was omitted. Table 3 indicates that, during the years 1971-72 through 1974-75, no dropouts were reported locally for any of the alternative high schools in the district. (Interestingly enough, these are the schools designed to hold potential dropouts.)

Some of the differences between the district totals reported by BEDS and those given out by the central office can be explained by such omissions. Also, there are times when both BEDS and the central office figures are an undercount of the actual dropout numbers because a district may neglect to report dropout figures from some schools to EITHER source. In Rochester, no dropout figures are available for The World of Work, Young Mothers Center, Neighborhood Street Academy, and the Neighborhood Achievement Center. **

2. Division of Responsibility for Compiling Dropout Figures - Within a district, different people assume the responsibility for reporting dropout figures to the various agencies. That is, whereas the central office may compile the locally-reported figures, the building principals or their clerks may assume the responsibility for reporting the number of dropouts to BEDS or OCR. This practice leads to inconsistent figures because there is seldom a standard definition of dropout used throughout a given district.

The absence of such a standard definition is our best explanation for the data in Tables 3 through 6 which reveal that dropout figures for an individual school differ according to their source. For example, in Buffalo (See

*See additional tables in Appendix D

**There may also be entire category of students omitted from dropout calculations. We do not know if districts report "slow workers" or low-average students as dropouts. In many districts, "slow workers" are in non-graded classes and are expected to leave school with Certificates of Attendance, not with diplomas.

TABLE 3

A COMPARISON OF DROPOUT FIGURES
AS REPORTED BY BEDS AND THE CENTRAL OFFICE

ROCHESTER CITY SCHOOL DISTRICT

School	1971-72		1972-73		1973-74		1974-75		1975-76	
	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS
Franklin H.S.	97	103	88	466	105	150	87	74	99	99
Charlotte J.S.H.S.	*	0	23	25	18	18	32	30	17	19
East J.S.H.S.	40	223	11	200	23	193	26	38	30	30
Edison Industrial H.S.	30	26	32	32	35	35	20	20	17	17
Douglass J.H.S.	*	NR	*	NR	*	NR	*	NR	12	NR
Interim J.H.S.	*	NR	*	NR	*	NR	*	NR	0	NR
Jefferson J.S.H.S.	162	162	63	63	51	51	29	29	65	65
Marshall J.S.H.S.	78	70	64	64	55	55	71	84	59	59
Madison H.S.	114	145	141	141	44	110	87	87	93	93
Monroe J.S.H.S.	*	14	44	44	30	30	38	38	31	31
N.A.C.	*	*	*	*	*	*	*	*	25	*
Neighborhood St.Academy	*	*	*	*	*	*	*	*	95	26
Operation Young Adult	*	77	*	60	*	*	*	*	0	0
School Without Walls	*	15	*	4	*	10	*	*	24	24
Wilson J.H.	*	NR	*	NR	*	NR	*	NR	1	NR
World of Work	*	*	*	*	*	67	*	*	*	53
Young Mothers	*	*	*	*	*	0	*	*	*	*
TOTAL	522	835	466	1099	361	794	390	400	592	516

KEY

BEDS = Bureau of Educational Data Systems
CO = Central Office
* = No dropout data was reported on this school by the source indicated.
NR = Data is Not Required as the junior high does not house a 9th grade.

NOTE: The totals listed for the Central Office figures were supplied to the Project by the districts. In some cases the totals are greater than the sum of the listed figures: in general this happened when districts included figures for smaller schools in thier totals but did not itemize the figures for those schools.

TABLE 4

A COMPARISON OF DROPOUT FIGURES AS REPORTED BY BEDS AND THE CENTRAL OFFICE

BUFFALO CITY SCHOOL DISTRICT

School	1973-74		1974-75		1975-76	
	CO	BEDS	CO	BEDS	CO	BEDS
Bennett H.S.	79	75	116	70	155	64
Buffalo Alternative H.S.	48	*	38	*	21	*
Burgard Vocational H.S.	119	194	97	199	81	184
Career Opportunity Center	*	*	*	*	*	*
Clinton J.H.S.	2	?	*	?	1	NR
East H.S.	237	252	184	197	149	177
Emerson Vocational H.S.	61	82	50	50	39	58
Fillmore Middle	*	NR	*	NR	*	NR
Fosdick Masten Vocational	71	60	74	60	71	64
Humboldt J.H.S.	4	?	9	?	4	?
Grover Cleveland H.S.	164	152	176	164	132	151
Hutchinson Vocational H.S.	27	36	26	14	29	32
Kensington H.S.	157	253	118	196	170	207
LaFayette H.S.	120	125	75	112	71	85
McKinley Vocational H.S.	53	25	48	52	43	30
Riverside H.S.	135	141	110	137	136	132
Seneca Vocational H.S.	66	*	78	106	52	58
South Park H.S.	163	233	170	252	170	222
Southside J.H.S.	56	?	51	?	54	58
St. Augustine Center	3	5	11	7	16	20
West Hertel Middle	*	NR	*	NR	*	NR
Woodlawn J.H.S.	4	?	4	?	3	?
TOTAL	1,591	1,738	1,449	1,738	1,417	1,605

KEY

BEDS = Bureau of Educational Data Systems

CO = Central Office

* = No dropout data was reported on this school by the source indicated.

? = The Statewide Youth Advocacy Project did not receive this data from BEDS, however, it is believed to be available

NR = Data is Not Required as the junior high does not house a 9th grade.

NOTE: The totals listed for the Central Office figures were supplied to the Project by the districts. In some cases the totals are greater than the sum of the listed figures: in general this happened when districts included figures for smaller schools in thier totals but did not itemize the figures for those schools.

TABLE 5

A COMPARISON OF DROPOUT FIGURES AS REPORTED BY BEDS AND THE CENTRAL OFFICE

(YONKERS CITY SCHOOL DISTRICT)

	1971-72		1972-73		1973-74		1974-75		1975-76	
Schools	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS
Career Center	*	*	*	13	*	15	*	15	*	9
Commerce Middle	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Commerce H.S.	23	23	15	18	-	-	-	-	-	-
E. Fermi Middle	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Gorton H.S.	66	64	80	81	127	141	113	113	94	62
Hawthorne Middle	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
J.Burroughs J.H.	4	?	4	?	3	?	2	?	0	1
Lincoln H.S.	52	53	47	49	87	47	56	55	83	83
Longfellow Middle	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
M.Twain Middle	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
R.Emerson Middle	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Roosevelt H.S.	68	58	56	56	101	53	67	74	51	52
Saunders Tech H.S.	30	32	18	17	18	21	9	9	17	17
W.Whitman J.H.	3	?	3	?	3	?	6	?	0	?
Yonkers H.S.	119	122	136	132	157	158	227	227	194	194
Yonkers Evening	2	*	32	*	38	*	45	*	165	*
Yonkers Prep	-	-	-	-	1	*	6	*	13	*
TOTAL	432	385	428	382	570	446	547	495	635	418

KEY

- = School is no longer in existence
- * = No dropout data was reported on this school by the source indicated
- ? = The Statewide Youth Advocacy Project did not receive this data from BEDS; however, it is believed to be available
- NR = Not Required as the junior high school does not house a 9th grade

NOTE: The totals listed for the Central Office figures were supplied to the Project by the districts. In some cases the totals are greater than the sum of the listed figures: in general this happened when districts included figures for smaller schools in their totals but did not itemize the figures for those schools.

TABLE 6

A COMPARISON OF DROPOUT FIGURES AS REPORTED BY BEDS AND THE CENTRAL OFFICE

SYRACUSE CITY SCHOOL DISTRICT

School	1971-72		1972-73		1973-74		1974-75		1975-76	
	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS
A.E.P./G.L.S.	-	-	2	?	7	?	6	?	8	?
Blodgett J.H.S.	21	*	33	*	37	*	24	*	29	34
Central Technical H.S.	137	123	115	91	202	50	237	*	-	-
Clary J.H.S.	8	*	9	*	9	*	8	*	6	9
Corcoran H.S.	141	54	234	226	177	80	190	99	122	186
Eastwood J.H.S.	15	*	9	*	14	*	7	*	5	0
Fowler H.S.	-	-	-	-	-	-	-	-	213	307
Gran[illegible] J.H.S.	13	*	20	*	15	*	14	*	5	9
Henninger H.S.	144	104	110	97	141	109	128	105	128	96
Homebound	-	-	-	-	3	?	6	?	7	?
Levy J.H.S.	6	*	8	*	6	*	6	*	3	2
Lincoln J.H.S.	-	-	-	-	-	-	3	*	5	5
McCarthy	-	-	-	-	1	?	1	?	1	?
Nottingham H.S.	66	66	45	86	82	100	105	112	43	126
Roosevelt J.H.S.	12	*	7	*	10	*	4	*	11	12
Shea J.H.S.	11	*	14	*	5	*	6	*	8	9
Smith J.H.S.	2	*	3	*	2	*	3	*	2	3
YMED	-	-	10	?	22	?	41	?	21	?
TOTAL	582	418	619	591	733	434	788	323	617	798

KEY BEDS = Bureau of Educational Data Systems
CO = Central Office.
* = No dropout data was reported on this school by the source indicated
- = School not in existence.
? = The Statewide Youth Advocacy Project did not receive this data from BEDS, however, it is believed to be available.

NOTE: The totals listed for the Central Office figures were supplied to the Project by the districts. In some cases the totals are greater than the sum of the listed figures: in general this happened when districts included figures for smaller schools in their totals but did not itemize the figures for those schools.

Table 4) during the 1975-76 academic year, Bennett High School locally claimed 153 dropouts, whereas only 64 were reported to BEDS. Burgard Vocational High School, on the other hand, locally claimed 81 dropouts during 1975-76, whereas 184 were reported to BEDS. These reporting differentials are typical of the data for all cities included in this sample.*

Attempting to find an explanation for these unexpected differences, we asked individual principals who was responsible for reporting dropout figures to the state (BEDS) and what criteria were used in classifying a student as a dropout. Both within a[illegible] mong districts, the answers were extremely varied. Table 7 clearly indicates that within a district different people assume the responsibility for reporting dropout figures to the state. Sometimes one principal within a district will report these figures directly to BEDS, while another principal will send his figures to the central office.

*See additional tables in Appendix D

TABLE 7

Principals' answers to question: "When submitting dropout figures to the state, do you calculate your own dropout figures or does the central office?"

Number of Principals by Type of Response

District	Central Office	School	Unclear or N.A.	Other
Albany			3	
Buffalo	4	2	5	3
Corning		2	3	
Hempstead			2	
Niagara Falls	4	2		
Oceanside		1	2	
Rochester	2	1	11	
Schenectady	3		1	
Syosset	1		2	
Syracuse	3	4	6	1
Uniondale	1		2	
White Plains	1	2	3	
Yonkers	1	3	7	
TOTAL	20	17	47	4

Key: Other: Attendance officer, pupil personnel
Unclear: The answer recorded was ambiguous; or the principal indicated that he didn't know who was responsible.
N.A. Not Answered, not applicable J.H. schools don't have dropouts as most of their students are under 16.)

In the central office, the person responsible for receiving and transmitting the figures will adjust them according to his definition of a dropout and will then send the figures to BEDS. Since different people assume the responsibility for reporting these figures, it is important to know what criteria they use.

3. Variations in Definition of "Dropout" - When we asked the principals what criteria they used to determine who was a dropout, we found that different definitions of "dropout" are used by the various individuals providing the figures. Although the state defines a dropout as "any pupil who leaves school prior to graduation for any reason except death and does not enter another school," this loosely worded definition is interpreted in many different ways throughout the state.

TABLE 8

Criteria used by High Schools* in Various Districts to Define a Dropout

		Albany	Buffalo	Corning	Hempstead	Niagara Falls	Oceanside	Rochester	Schenectady	Syosset	Syracuse	Unlondale	White Plains	Yonkers
Leave to marry	Yes	0	8	2	1	2	1	8	2	1	4	0	4	2
	No	0	1	0	0	1	0	0	0	0	1	1	0	2
	NA	1	1	0	0	0	0	2	0	0	0	0	0	1
Leave due to pregnancy	Yes	0	6	2	0	2	0	3	1	0	2	0	2	1
	?	0	0	0	1	0	0	2	0	0	0	0	0	1
	No	0	4	0	0	1	1	4	1	1	3	1	2	3
	NA	1	0	0	0	0	0	1	0	0	0	0	0	0
Military Service	Yes	0	6	2	1	2	1	5	2	0	5	0	4	4
	No	0	4	0	0	1	0	3	0	1	0	1	0	1
	NA	1	0	0	0	0	0	2	0	0	0	0	0	0
Job Corps	Yes	0	8	1	1	2	1	3	2	0	3	1	3	4
	No	0	2	0	0	1	0	6	0	1	0	0	1	1
	NA	1	0	1	0	0	0	1	0	0	2	0	0	0
Disappear	Yes	1	8	2	1	2	0	8	2	1	5	1	4	4
	No	0	2	0	0	0	1	1	0	0	0	0	0	1
	NA	0	0	0	0	1	0	1	0	0	0	0	0	0
Transfer to Evening School	Yes	1	5	1	1	3	0	1	1	1	1	1	2	2
	No	0	3	0	0	0	1	7	1	0	4	0	2	2
	NA	0	2	1	0	0	0	2	0	0	0	0	0	1
Total No. of High Schools		1	10	2	1	3	1	10	2	1	5	1	4	5

NA—No Answer ?—Unclear Answer

*The answers given by junior high and middle school principals are not included as they gave hypothetical answers. By definition a student under 16 cannot drop out.

Table 8 indicates that within districts principals have, and use, different criteria for classifying students as dropouts. It is probable that this finding, more than any other, accounts for the discrepancy in dropout figures reported by BEDS and the central office for individual schools. That is, if the central office calculates both the figures that are reported locally and the ones reported to BEDS, then one can expect them to be the same. (This occurred in the Rochester City School District during the 1975-76 school year when all reporting was done by the central office.) If, however, the locally released dropout figures are tabulated by the central office, and those reported to the state are calculated by individual principals (all, of course, using different definitions), then it is not surprising that discrepancies exist.

Because we found so little agreement within, and among, the larger

districts on the definition of "dropout," the Statewide Youth Advocacy Project sent questionnaires to 75 superintendents of smaller districts throughout the state.* District personnel were asked to provide information concerning their criteria for defining a dropout and were allowed to respond anonymously. Forty-five districts completed the questionaires.

As Table 9 indicates, most districts agree that someone who leaves to marry, or join the military, or who disappears is a dropout. However, there is little agreement over the classification of someone who leaves due to pregnancy, joins the Job Corps, or goes to evening school. The number of dropouts reported all depend on how the district chooses to define a dropout. There is, then, very little agreement over what constitutes a dropout, both within and among, districts. This leads to inconsistency in figures within districts and to over- or undercounts of dropouts among districts.

*See Appendix E for a copy of the questionnaire and the answers of two districts, showing just how varied some responses were.

TABLE 9

CRITERIA USED IN DEFINING A DROPOUT IN INTERMEDIATE AND SMALL DISTRICTS

	Criteria	Yes	No	No Answer
Provided*	Leave to marry	39	5	1
	Pregnancy leave	22	22	1
	Military	39	6	0
	Job Corps	27	15	3
	Evening School **	21	22	2
	Disappear	35	6	4
Added*	Age loss at 17	3	0	0
	Leave to work	7	0	0
	Deceased	2	0	0

*Provided — This list of criteria frequently used in defining a dropout was provided on the questionnaire. Districts were asked to indicate whether they used each of these categories in defining a dropout.

Added — The questionnaire also contained an open-ended question asking if any other criteria were used in defining a dropout. The answers to this question constitute the "added" category.

**It should be mentioned that districts receiving the questionnaires did not have an evening school program. Hence, this is an answer to a hypothetical question and reflects the confusion over this issue.

4. Errors - When numbers are handled by many different people unintentional errors do occur. For example, the disparity in the Syracus School District's totals as reported by BEDS and the central office (Se Table 6) is partially due to human error. In 1971, following district re organization, all 9th grades were housed in junior high school building: However, the state did not request dropout figures from these school until 1975-76. Consequently, during the period from 1972 to 1975, th dropout figures reported locally are higher than those available fror the state.

In large districts, clerical errors may be made when students transfer from one school to another. Where there are numerous junior, senior, and alternative high schools, a student may drop out of one school and then re-enter another in the same district. Dropout figures are, therefore, re-adjusted at the end of each school year to confirm the final enrollment status of a student; errors may occur during this process.

5. Evening School - Districts differ in the extent to which they consider transfers to evening school as dropouts. In most districts, a student who transfers to evening school is considered a dropout, probably because it is so difficult to monitor an individual's attendance after this transfer to evening school. We found two exceptions: the Yonkers School District does monitor attendance at evening school and, therefore, counts evening school transferees as dropouts only when they leave the school without a diploma; the Rochester City School District does not consider either a transfer to, or a dropout from, evening school as a dropout. Since the number of transfers to evening school in the Rochester City School District has been as high as 700 in 1975-76, and since only about 50% of the transferred students actually enroll in evening school,[1] there are a significant number of non-reported Rochester dropouts. Thus, the actual number of dropouts reported by a district may be artificially inflated or deflated depending upon the district's classification policy for evening school transfers. (See Appendix F for a more specific discussion.)

Empty Figures - Dropout figures are, then, inaccurate. Furthermore, they do not provide useful information; that is, they do not give any data on whether teen-agers are dropping out because of the school's failure to meet their needs or because of personal conditions beyond the school's control. Nor do they disclose whether students leave voluntarily or because they were pushed out or told to go.* The dropout figures available from BEDS merely indicate the number of dropouts for a particular school or district. OCR collects the same data but includes racial/ethnic information. Most school or district totals give no indication of why a student left.

Some local school districts, however, do provide more comprehensive information by indicating the destination of their dropouts; i.e., the military, work, marriage, etc. However, only one district, Schenectady, attempts to determine why the students decide to leave school. Their categories for early school withdrawal include: 1) failing grades, 2) lack of interest, 3) negative attitudes toward school, and 4) inability to get along with the teachers. This district is clearly looking for inadequacies within their schools which might have contributed to the student's decision to leave. Data collected in this fashion can provide schools with some of the information needed to decrease the number of dropouts and to evaluate the effectiveness of their programs. Additionally, the public can begin to determine

*A full discussion of pushouts is found in the chapter on "The Over-16 Year Old."

to what extent schools might or might not be responsible for students' dropping out.

Implications - We maintain that the tendency of school districts to report invalid figures to the public, to BEDS, and to OCR is a clear indication of lack of concern about the dropout phenomenon. A district genuinely interested in decreasing the number of dropouts would make certain that the data collected were both useful and accurate.

We are convinced that current New York State dropout figures are meaningless and costly. Not only do they fail to tell why students leave school early, but they also fail to provide an accurate count of the number of dropouts. For this reason, we have no choice but to use estimated figures. In the following section, we will calculate an adjusted dropout rate in an attempt to provide some answer to the question -- "How many teen-agers are dropping out?"

HOLDING POWER

Definition - In response to the difficulties involved in obtaining dropout figures, many state authorities and educational researchers have turned to holding power as their basic index of dropouts (e.g., The Fleischmann Report on the Quality, Cost and Financing of Elementary and Secondary Education in New York State.) Holding power represents the percentage of students entering 9th grade who remain through the 12th grade. In other words, one class is followed in its passage from 9th grade to 12th grade to determine what percentage of that incoming freshman class make it to graduation.

Holding power can be calculated in two ways:

$$\text{Holding power}_{(1)} = \frac{\text{high school graduates}}{\text{9th grade autumn enrollment}}$$

$$\text{Holding Power}_{(2)} = \frac{\text{12th grade autumn enrollment}}{\text{9th grade autumn enrollment}}$$

Holding $\text{Power}_{(1)}$ is the better estimate of school's ability to "hold" students because it follows the students through to graduation. Holding $\text{Power}_{(2)}$ uses 12th grade autumn enrollment figures. Because some students do drop out during the 12th grade, Holding $\text{Power}_{(2)}$ tends to overestimate the school's ability to retain students.* Nonetheless, it is the formula we must use, since BEDS does not compile graduation figures for individual districts according to racial/ethnic group - and we wished

*Holding Power calculations do not include students enrolled in Special Education Programs. Such programs are usually non-graded and therefore statistics by grade are not available.

to compare the holding power for whites, blacks, and Spanish-surnamed Americans.

The reciprocal of holding power is considered to be the dropout rate:

Dropout Rate = 100% minus Holding Power

The assumption underlying the validity of holding power is that the number of people moving into a district is equal to the number leaving: for everyone who leaves a given 9th grade, someone else will enter it. Thus, when the number of people entering 12th grade is less than the number which had enrolled in 9th grade, the difference between the two can be taken to represent the number of dropouts. There is clear evidence, however, that many of New York State's major cities have been losing population. For this reason, if holding power is to yield valid figures, it must be adjusted to account for mobility.

Mobility - We, therefore, calculated mobility rates for the total school population and for each minority group in the Big Four upstate cities (Rochester, Buffalo, Syracuse, and Yonkers) and for the state during the years 1969-70 through 1975-76. This was done by calculating the average annual mobility for grades 1 through 8.* This figure, however, tends to overestimate the loss due to mobility in grades 9 through 12 as it assumes that the rate of mobility in secondary school is the same as it is during the elementary years. However, we know that this is not the case because, as the data in Appendix H. indicates, the greatest reduction in urban school enrollment actually occurs during the elementary years. Thus, we can safely assume that the so-calculated mobility rate is an overestimate of movement in grades 9 through 12. Since the difference between 9th-and 12th-grade enrollment figures is due only to (a) mobility and (b) dropouts, as the loss due to mobility increases, the loss due to dropouts will diminish. Thus, in using an overestimate of population loss due to mobility and in using Holding Power$_{(2)}$ estimates based on 12th grade entrants rather than graduates, we are minimizing the loss due to dropouts.

Estimated Dropout Rate - Table 10 provides our best estimate of the number of dropouts in the form of a range. The lower limit (the adjusted dropout rate) accounts for mobility and is an underestimate of the dropout rate. The upper limit (Holding Power$_{(2)}$) assumes a zero mobility rate. Although use of holding power is standard practice, it results in an overestimate of the actual dropout rate.

How many students are dropping out of school then? We cannot tell exactly, but we can be sure that the actual number lies somewhere within the ranges shown. In Buffalo, between 16% and 35% of the class of 1976 dropped out; in Rochester, between 28% and 41%; in Syracuse, between 12% and 14%; and in Yonkers, between 6% and 12%. Even if we consider only the underestimate of the dropout rate (the lower limit), there is considerable reason for alarm -- particularly in the case of minority teen-agers.**

The estimated dropout rate for blacks is significantly greater than that for whites. In Buffalo, a minimum of 8% of the white, and a minimum of 26% of the black 9th grade enrollment dropped out by 1975-76. In Rochester, the situation is even worse. A black student in the class of '76 would have seen at least 42% of his black classmates leave school; whereas a white would have seen only 13% of his white classmates leave. This difference in dropout rate for blacks and whites was replicated in both Yonkers and Syracuse.

Although New York City was excluded from our analysis, a carefully produced report, released by Advocates for Children of N.Y., indicates the following dropout rates for New York City:

*See Appendix G for a detailed discussion of the method used in calculating the average annual mobility rate and the adjusted holding power figures. All raw data are included.

**Holding power figures for selected districts around the state are included in Appendix I.

TABLE 10
ESTIMATED DROPOUT RATE IN MAJOR CITIES
BY RACIAL/ ETHNIC GROUP
(Data Presented As A Range)

BUFFALO

Class of	Total	White	Black
'73	16% - 31%	4% - 27%	28% - 41%
'74	21% - 38%	13% - 36%	30% - 42%
'75	18% - 36%	10% - 36%	26% - 43%
'76	16% - 35%	8% - 33%	26% - 40%

ROCHESTER

Class of	Total	White	Black
'73	21% - 41%	12% - 39%	35% - 46%
'74	21% - 40%	12% - 39%	35% - 44%
'75	25% - 35%	13% - 39%	40% - 48%
'76	28% - 41%	13% - 38%	42% - 49%

SYRACUSE

Class of	Total	White	Black
'73	1% - 18%	0% - 12%	33% - 41%
'74	0% - 12%	0% - 8%	16% - 30%
'75	0% - 9%	0% - 8%	9% - 30%
'76	12% - 14%	2% - 13%	33% - 23%*

YONKERS

Class of	Total	White	Black
'73	1% - 8%	0% - 9%	22% - 22%*
'74	6% - 15%	.2%- 13%	21% - 21%*
'75	5% - 11%	0% - 12%	22% - 21%*
'76	6% - 12%	0% - 10%	39% - 23%*

* Some districts experienced a net gain in the number of minority students moving into the district. Therefore, when calculating the adjusted holding power figures, we augmented the size of the 9th grade class to account for this increase.

$$\text{Adjusted Holding Power} = \frac{\text{12th grade enrollment figures}}{\text{9th grade enroll. figures} + \text{estimated 3-yr. increase due to mobility into the district}}$$

By thus accounting for a gain in population, the adjusted "lower limit" actually turns out to be higher than the unadjusted "upper limit." To illustrate: assume that the class of 1976 began with 100 9th graders. Assume also that, according to our mobility calculations this class should have gained 20 students between the 9th and 12th grades but that actual 12th grade autumn enrollment is only 80 students.

Using the unadjusted holding power calculation, the retention rate is 80%:

$$\frac{(80 \text{ (12th grade enrollment)}}{(100 \text{ (9th grade enrollment)}}$$ yielding a dropout rate of 20%.

The adjusted holding power calculation accounts for the estimated class gain:

$$\frac{(80 \text{ (12th grade enrollment)}}{(120 \text{ (9th grade enrollment} + \text{estimated mobility)}}$$

Use of this formula gives a retention rate of 66% and a corresponding dropout rate of 34%. The estimated dropout range would then be between 34% and 20 %.

Class of 1973: 43.9%
Class of 1974: 47.4%
Class of 1975: 49.7%

These New York City dropout rates were not calculated by racial/ethnic group. However, according to the Fleischmann Report, 49.9% of the blacks, 55.2% of the SSA, and 23.9% of the white population of the New York City class of 1970 dropped out. Even though the exact dropout rates need to be calculated for the most current classes, it is doubtful that the expectancy for minority-student graduation from New York City high schools has improved.

We were able to calculate the adjusted holding power for New York State using graduation, rather than enrollment, figures. For the class of 1974, 79.5% remained in high school through to graduation, as did 78.4% of the class of 1975 and 78.2% of the class of 1976. Another way of expressing this information is that for the years 1974 through 1976 between 21% and 22% of the entering 9th grade classes dropped out of high school before graduation. If there is no change in the present educational system, these dropout rates will probably continue: of all students enrolled in New York State schools in 1976-77, 22% will leave before high school graduation--654,532 young people will not earn their high school diplomas.

The figures are significantly worse for minority students, leading to the conclusion that the state is failing in its mandate to educate all its children.

TABLE 10A

ESTIMATED DROPOUT RATE IN NEW YORK STATE BY RACIAL/ETHNIC GROUP
(Data Presented As A Range)

Class of	White	Black	SSA
'74	11.7% - 16.1%	41.0% - 45.2%	45.8% - 53.1%
'75	11.6% - 16.5%	36.6% - 43.1%	44.6% - 55.0%
'76	11.2% - 16.0%	37.6% - 45.0%	43.1% - 54.5%
'77	11.1% - 15.9%	37.6% - 43.4%	41.1% - 50.1%

Table 10A indicates that blacks drop out of high school three times as often as do whites. SSA students drop out almost four times as often. With just under four out of every ten black students, and four out of every ten SSA students, leaving high school before graduation, it becomes necessary for the community to examine its educational system to determine to what extent the schools are responsible for the attitudes and circumstances which lead students to drop out. In our analysis, we turn first to the dropouts to learn from their reactions to their school experiences.

RECOMMENDATIONS

Consistent and careful implementation of the following recommendations should assure both useful and reliable dropout data:

1. Because the vagueness of the state's definition of dropout has led to diverse interpretations, we recommend that the term dropout be explicitly defined:

> A dropout is any person who leaves school prior to graduation and who does not immediately enter another accredited public, private, or parochial day school program. This definition includes those who leave in order to join the military service, the Job Corps, or any other institution; or who leave due to pregnancy or marriage; or who leave at the age of 16 or 17; or who simply disappear; or who transfer to any evening school program directly from a day school.

2. Because the Bureau of Educational Data Systems is the basic storehouse for all data concerning school districts throughout New York State, we recommend that BEDS require the following procedures for the collection and reporting of that data:

A. Dropout data should be provided by ALL secondary schools containing a 9th grade (alternative schools included).

B. These data should be provided by racial/ethnic group.

C. Dropout data should indicate the destination of the dropout in accordance with the recommended state definition:

1) Military service
2) Job Corps
3) Institution (by name)
4) Marriage
5) Evening school
6) Job
7) Disappeared
8) Unknown
9) Pregnant

D. The school should indicate the reason for a student's decision to drop out. (Note: A destination does not constitute a reason.) Such reasons might include:

1) Failing grades
2) Lack of interest
3) Inability to get along with teacher
4) Negative attitude toward school
5) Superintendent's exclusion
6) Violation of attendance policy
7) Economic hardship
8) Family pressure
9) Pregnancy
10) Peer conflicts

E. The position of the person recommending the withdrawal should be indicated, such as:

1) Student 3) Dean
2) Counselor 4) Principal

3. Because division of responsibility for reporting data has led to inconsistency in figures, we recommend that, within each school district, the responsibility for collecting dropout statistics and distributing them to the various agencies should be assumed by one department or individual in the central office.

4. Because chronic truants are in effect dropouts (although they do not appear in any count of dropouts), we recommend that districts be required to maintain annual records indicating the number of chronic truants on a school-by-school basis.

WHY DO STUDENTS DROP OUT?

Linda left school at sixteen after what she felt were repeated misunderstandings with her teachers and the school administrators. When caught fighting, Linda felt she was never given an opportunity to explain. 'They should have sit down and seen how the problem was. Suspension only means I miss work.' Linda felt the school never gave her a chance to explain; they just sent her home. 'They always believe the teacher. When she says she don't want you in her class, that's it - you don't go back. And you may need the subject. They don't have you try to talk with the teacher. They just scratch you off and she do, too.'

Buffalo
Black
Female

181 students responded to the question "Why did you leave school?" The listing below gives an indication of the variety of their answers:

Answers	Percentage
Involuntary exclusion	21.5
Dislike school	16.0
Academic problems	9.4
Teacher problems	7.4
School irrelevant	7.2
Unclear	6.6
Pregnancy	6.0
Conflict with administrator	6.0
Family problems	6.0
Financial problems	2.7
Other	*

Financial and Family Problems - Historically, financial need caused large numbers of youths to leave high school before graduation. In our sample,

*The remainder of the responses fell into a variety of different categories.

however, only 2.7% (or 5 students) attributed their leaving to financial difficulties. An additional 6% indicated that they had left school because of family problems which took priority over their school work.

Kicked Out - The single most frequent response, given by 15.5% of our respondents, was that they had left school because they had been asked to leave or had been "kicked out" by the school. An additional 6.1% indicated that they left because they expected to be asked to leave. This means that 21.5% of our sample believed that they had been forced to leave high school by the school administration. Had we not interviewed principals, we might have questioned the accuracy of these indicators; however, figures of this sort are not surprising in light of the principals' expressed attitudes that school after 16 was a privilege to be earned by the students and not a right.*

Lack of Interest and Academic Failure - Dropouts explained their leaving school in terms of a variety of other factors, the most significant of which was that they didn't like it -- an answer given by 16% of the respondents. Another 7% cited difficulties with teachers and a similar number mentioned conflict with administrators. 7.2% of our sample said that they found it irrelevant to their lives or that, at the time, they had not realized the importance of education.

Especially noteworthy is the 9.4% of the surveyed students who said that they had left school because they could not keep up with the work or were generally too far behind in credits toward graduation. This figure does not mean that those students were the only ones who left because of academic difficulties, but rather that they were the ones who acknowledged to us that their academic problems had been significant enough to cause them to leave. Such an admission is a difficult one for a person to make and we believe that many more had serious problems than were willing to admit them. This belief is substantiated by the 34% who admitted to having trouble with reading and the 45% speaking of problems with math.

Ed has a very poor opinion of himself. He has met with so much failure that he now believes that his case is hopeless. He is 20 years old and reading at a 5th-grade level. He left high school in 1976 in the middle of 12th grade. 'I skipped English a lot. I looked funny; everyone reading and I couldn't.' But Ed still thinks that education is important. 'You need it to get a job. The school is O.K. but they can't teach people who don't learn fast.'

Syracuse School District
Black
Male

Jim dropped out of junior high school in 1977. He was 16 and in the 8th grade. 'I didn't like school. I didn't think it was worth it; half the courses are no good; Social Studies, Science, and Health can't get you a job. The schools don't teach things to help you get a job. Why should I do labor without pay -- I could spend my time more wisely making money.'

Syracuse School District
White
Male

*See page 107 for discussion of principals' attitudes.

To the extent that our sample is representative, we can conclude that, increasingly, teen-agers are dropping out because of the schools' failure to demand mastery of academic material and failure to provide an appropriate and meaningful education for children with different academic needs.

By the time she was 15, Julie had been incarcerated and had had a child. At the age of 16, she dropped out of high school. She complained of not liking it. 'They passed me without knowing why. I continuously failed, but they passed me anyway.'

Rochester
Black
Female

Pregnancy - Although to a lesser extent than before, some girls still do drop out because they are pregnant (6%). Many districts now provide special programs for pregnant girls or allow them to stay in school.

Mary left high school last year. She became pregnant in the middle of 10th grade and was afraid to continue going to school because of the violence in the schools. 'It was too wild at school. The girls would attack each other in the bathrooms. They threatened to beat my baby out of me.' Her mother tried to arrange for home tutoring for her while she was pregnant; but such arrangements were denied. She doesn't understand why. She felt that she had a justifiable request.

Hempstead
Black
Female

Sue had left school in 1974. She had an abortion and was told by the school that she couldn't come back.

Syracuse City School District
White
Female

HOW TO HELP THE POTENTIAL DROPOUT

We asked the dropouts why they thought education was important: 61% of their responses emphasized high school education as preparation for successful employment.

We tried to gather ideas about how teen-agers could be encouraged to remain in school through graduation. We asked this question directly of school principals and indirectly of the dropouts. We asked for their feelings on the subject via a series of related questions spaced throughout the interview form:

1. "What did you dislike (like) about school?"
2. "What would your ideal school be like?"
3. "Could the school have done anything so that you wouldn't have left?"

In answer to the first question, 37% of the respondents indicated that what they liked the least about school was the teachers.

Sam quit school in 1976 after having completed the 8th grade. What I disliked the most about school was the 'way the teachers could address you: hollering, name calling, embarrassing you in front of the class ... and you couldn't talk back! If you did, you'd be sent to the office.'

Mount Vernon
Black
Male

Jean dropped out in 1974, claiming that she was bored and didn't like it. What she disliked most about school was the teachers. 'They didn't help you ... if you raised your hand, they'd just ignore you.'

Yonkers
White
Female

The kind of teacher I like is friendly, concerned, interested in teaching ... They could explain things when I couldn't understand them.

Yonkers
Puerto Rican
Female

Besides speaking of their dislike for teachers, 27% of the respondents mentioned that they had not liked a particular course(s), either because they simply had not liked it, had not seen its relevance, or had not liked the teacher. We treated the flip side of the coin and tried to determine if there were any particular courses that the dropouts did like. 23% mentioned gym; 21% art; 17% English; and 15% Industrial Arts.

I liked art: I was good at painting. I liked basketball: I liked the freedom of the exercise. Also swimming: I was a good swimmer. And Math: I was good in that too.

Mount Vernon
Black
Male

This boy's answer typifies most of the responses received. That is, students like those courses in which they experience success. They also enjoy a variety of the non-academic courses such as art, gym, and the sports programs: unfortunately, these are the ones most frequently curtailed by budget cuts.

So far, we have mentioned the two things which dropouts disliked most about school: teachers and particular courses. The third most frequent response was authority and rules (an aswer given by 16% of the respondents.)

School was like a prison. After all the students were in class, they'd pull down the gates and lock them. The school was too strict.

Syracuse
Black
Male

I didn't like the way the principal wouldn't change ... just because us kids told him that he was doing something wrong. I didn't like the unequalness between the teachers and students.

Corning
Male
White

I didn't like the school's lack of ability to let kids do what they needed to do. I wasn't taken seriously when I told them I wanted to make my own choices (about courses).

Corning
White
Female

To conclude, then, what dropouts disliked the most about school were 1) the teachers, 2) particular courses, 3) authority and rules.

Later in the interview, we asked the respondents what their "ideal" school would be like. The answers they gave reflect the responses given to the previous question: the things the dropouts would change were those items which had shaped their negative attitudes toward school.

26% of the dropouts said that in their "ideal" school they would have nice teachers. Later, when asked what their ideal teacher would be like, 61% said that "they would care about their students" and 20% indicated that "they would help you with your school work." A nice teacher, then, is one who cares about the students and helps them with their work. Perhaps, by helping students with their work, teachers show that they care.

My ideal teacher would be there to help ... and to provide extra help if need be. She'd be patient, motivating, and able to counsel me as a friend.

Syracuse
Black
Male

My ideal teacher would be understanding. They'd not always blame the student when something goes wrong; but sometimes they would blame themselves, too.

Syracuse
White
Male

... would be friendly, respectful, concerned and dedicated.

Yonkers
Puerto Rican
Female

Many dropouts also mentioned that their ideal school would offer more job-oriented courses (13%); more alternatives (12%); and more individualized, self-paced instruction (17%).

My school would be more geared to the individual so that students could go at their own speeds. You'd have a lot of projects and a lot of relevant courses relating to world problems. The teachers would be more interested in the student than in the courses themselves. They'd be more into helping the student. The goal of the school would be to keep the student interested in learning ... not to alienate anyone from the learning process.

Buffalo
Puerto Rican
Female
1975 9th grade Dropout

In my school, you'd have a better atmosphere ... to make you want to be in school. Also, they'd help students individually to get the best programs. The goal of the school would be to get everyone to pass; to learn trades; to

learn whatever they were best in. The teachers would want to spend time with each student.

Buffalo
Puerto Rican
Male

Other frequent responses were that the ideal school would be smaller (11%); would have an open campus (10%); would permit smoking (9%); and would allow for better communication (11%).

In my school, there'd be no problem children. If you fight, you wouldn't get suspended ... that wouldn't solve the problem! You would sit down and talk about it. There would be classroom discussions; conferences with staff, parents, and counselors about how to improve things.

Hempstead
Black
Female

The last question we addressed to the dropouts was, "Could the school have done something differently, so that you wouldn't have left?" 55% of the dropouts thought the schools could have helped:

They could have given me a purpose and meaning ... not just paperwork. They shouldn't have passed me if I wasn't ready.

They could have stopped the troublemakers ... or they could have gotten rid of them.

I felt that no one was really interested in teaching me what I was missing. Someone could have talked to me to find out what my problems were.

They could have arranged it so that the school day was shorter. Schools can't change ... it will always be the same.

Our respondents, then, felt that if the schools had tried to be more understanding, had taught them the skills they lacked, had been more flexible and controlled disrupters ... then they would have probably stayed in school.

Principal Responses - It proved very interesting to contrast the principals' ideas on the dropout phenomenon with the responses provided by the dropouts. According to the principals, the best way to keep students in school is to provide them with educational alternatives (an answer provided by 32% of the respondents). Additionally, 14.6% expressed a need to make school more interesting and 10.9% indicated a need for counseling. Although the dropouts were in complete accord with these suggestions, the latter gave considerable importance to other factors rarely mentioned by school administrators.

According to dropouts, what was most important to them was having nice teachers; teachers who took time to give them inividual assistance and treat them as human beings. The dropouts also mentioned their aversion

to many of the rules and authority figures in the schools. Many respondents said that they had not liked bars on their schools, locked doors, passes to go to the bathroom, etc. All of these are, of course, signs of the schools' reaction to increased violence. However, no one has considered the psychological effects of these measures on the non-disruptive students attending such schools. Additionally, students have raised a voice of protest against one aspect of the school's authority: the students perceive that they are always wrong and that any teacher or administrator, by virtue of his position, is always right. Students have also mentioned that they'd like to be able to smoke in school, to have more choice in the courses they take, and to not have to be afraid to attend their schools. None of these issues were mentioned by the principals.

Alternative Schools - In the preceding pages, many negative statements have been made about teachers. We have heard about their inability to help students with academic problems and about their failure to treat kids as anything more than mere numbers. It is unjust, however, to let these comments rest here. One must look at the difficulties confronting teachers -- difficulties that arise from the school districts' failure to provide alternative educational settings for children of different needs.

How can a high school teacher be expected to teach effectively in a classroom which at one time may contain:

1. Students who present an ever-imminent threat of physical danger to themselves and to others,
2. Students who have been passed, year after year, by the system but who truly lack even rudimentary skills,
3. Students who see no relevance whatsoever in what they are learning, and
4. Students who are functioning at, or above, grade level.

What kind of superhuman being, or SUPER-T in this case, can meet the many needs that such a class presents? How is it possible within the limits imposed both by time and curricular guidelines? It is unfair to give teachers an impossible task and then complain when they cannot do it! The needs of such diverse students are best met in diverse environments. For many teen-agers, the traditional classrooms, and the body of knowledge which they impart, are still quite appropriate. However, for others, vocational training programs, fine arts programs, or programs for severe behavior problems are required. These alternatives, however, must not be stigmatized as programs for those who "can't make it!" They differ only in kind and not in intrinsic worth. If we provide alternative programs for different types of students, and by so doing give teachers a reasonable task, then their chance of success is greatly improved.

Described in Appendix J are three alternative programs aimed at meeting the needs of different populations. Although we are not now in a position to evaluate these programs, we present them as examples of some of the different types of programs in existence throughout the state.

OUR RESPONSE TO THE DROPOUTS

The modern large high school, be it urban, suburban, or rural, often fails to provide the caring humanism which young people need. The students' comments highlight the sense of powerlessness they feel within the adult-*controlled institution. The dropouts perceived their schools not only as* run by, but also for, the adults in charge. The concerns for individualization and personalization voiced by the dropouts are shared with their more successful and academically-oriented classmates.

Perhaps young people have always needed such personal attention from school although, we believe, the need is greater today than it ever was. Because late 20th century living patterns force parents to play a decreasing role in the lives of their children, the role of the school assumes even greater importance. For better or for ill, among the poor and perhaps especially among the middle and professional classes, there is less time for parenting because mothers work away from the home more often then they did in the past. The teen-agers' need for continuing nurturing does not dimish because parents have less time to nurture. Perhaps this thrusts yet one additional responsibility on the schools; nonetheless, we contend that the individual caring that students have special need for now is what schools should always have been providing.

There is growing evidence that the very size of the modern high school

presents major obstacles to the development of caring relationships between faculty and students. Large school size has been shown to relate negatively to both discipline and to academic achievement.[3]

> ...Many problems...can be interpreted as resulting from large school size. Students generally have considerable difficulty trusting their teachers; and the communication between student and teacher, white student and minority student, students and principal seems quite poor and probably intensifies tension. Similarly, the large size of our schools decreases the individual student's sense of responsibility to teachers and other students...Large groups of students in one building necessitate some form of control to avoid chaos.[4]

Individualization, small classes (and/or schools), and good communication here frequently mentioned by our dropout sample as aspects of an ideal school. This holds for advantaged as well as disadvantaged students.

The students wish to be seen as individuals. In smaller schools, the same teacher is more likely to have a student in class for more than one semester; larger schools simply have more people teaching the same or similar courses. In small schools, regulations can often be bent to conform to the shape of individual needs. In small schools, the principal, or at least principal and vice principal combined, can usually know by name almost all students, and surely know by need all those who have special problems.

In response to similar findings, the HEW report, Violent Schools-Safe Schools, recommended that:

> Consideration should . . . be given to ways of decreasing the impersonality of secondary schools and increasing the amount of contact between faculty and students.[5]

Significantly increased use of clustering techniques and the creation of mini-schools within the existing larger buildings are examples of steps which might be taken in the direction of increased personal contact and communication between students and teachers, students and administrators, and, no less significant, between administration and faculty.

Even in larger schools steps can be taken to decrease the students' perceptions that rigid and authoritarian rules deprive them of legitimate autonomy and individual dignity. Perhaps the subject of bathrooms may be used as an illustration of some of the more bizzare aspects of the exercise of administrative authority.

Students from all sorts of schools, urban and suburban, complain that the bathrooms deprive them of their dignity. And all in the name of enforcement of rules against smoking. In a society which teaches even the youngest children that bathroom functions are to be performed in private, it is absurd that toilet cubicles have no doors -- they have no doors so that students will not be able to smoke behind the doors. We believe that a principal who acquiesces in such arrangements cannot care very much about the personal dignity of his students.

Furthermore, the condition of the bathrooms may also be taken as a barometer of an administrator's respect for the youngsters in his charge. Even though most administrators maintain that the bathrooms are clean in the morning, numerous teachers and students say that they have entered the students' lavatories first thing in the morning and have found them smelly and uncleaned. If the principal informs the custodial staff (small as it is) that bathrooms must be kept clean and if he actively enlists the cooperation of the students in this endeavor, then clean toilets are possible. But all too often, supervisors use the incidence of graffiti as proof that the kids are slobs. Graffiti-covered walls are not comparable to fouled and unclean toilets and should not be used as evidence that teen-agers, who have an unholy desire to leave their written mark, should be deprived of the right to sanitary and useable facilities.

Both the excessive size, which contributes to the depersonalization of all intra-school relationships, and the arbitrary and thoughtless nature of many school regulations combine to produce an environment which many students perceive as destructive of their individualty and unconcerned with their needs.

RECOMMENDATIONS

1. We recommend that school superintendents and boards of education:
   A. Work closely with parent groups and community organizations to foster peer-pride in school achievement and attendance.
   B. Require that secondary schools provide for routine individual conferences with students and parents to praise accomplishments, as well as to call attention to problems.
   C. Set a tone for school personnel which emphasizes that every child has a right to be in school.
2. Each teacher and school administrator must accept the responsibility of assuring that no child is "written off." Teachers and administrators should be warned that it is unprofessional and counter-educational to encourage, through action or statement, early withdrawal from school. Children with problems are worth intensive effort.
3. School districts must actively encourage social service agencies to supplement school social services by providing counseling services and special programs within the school building, both during and after school hours. Communities should no longer tolerate the artificial divisions between community and school: the schools must be required to open their doors to professionally-competent, community-based social services.

CHAPTER TWO

ACHIEVEMENT

> Students are not likely to develop self-respect if they are unable to master the reading, verbal, and computational skills that the schools are trying to teach. Children must have a sense of competence if they are to regard themselves as people of worth... Chronic failure makes self-discipline hard to come by; it is these children's failure to learn that produces the behavior problems of the slum school... and not the behavior problems that produce the failure.[1]
>
> Charles Silberman

If current dropout rates continue, almost 3/4 million* New York State students presently enrolled in school will leave before graduation. Because so many students who do so have experienced academic difficulties, this chapter will touch upon some of the issues involved in an analysis of academic problems within the schools. After a brief examination of the academic achievement of New York State youngsters, as seen in PEP test results, we will discuss some factors which we believe could lead to improved achievement.

Although we do hypothesize a relationship between inadequate achievement and the problems leading to early school withdrawal, it is impossible to support this assertion through correlational techniques because the dropout figures are inadequate. Nonetheless, whatever the index of dropouts used, it is clear that the dropout rate is highest in large urban districts where the number of students scoring below minimum competency is also the greatest. Obviously, varieties of other factors, socio-economic and psychological, also affect the decision to drop out, but it is our contention that the failure to succeed academically should be considered as one among the many reasons producing the dissatisfaction with school which leads some teen-agers to leave before graduation.

Most students who drop out of school do so because school has been an unhappy place for them. From earliest years, they have known both the sting and frustration of repeated academic failure and the humiliation of being unable to keep up with their classes. Disruptive behavior, selective and total truancy -- all ways of avoiding serious academic effort -- led to worse and worse performance and usually provoked disciplinary retaliation in the form of suspension, officially enforced avoidance of academic effort. By 16, these students are usually more than ready to leave -- and they do -- sometimes on their own initiative, too often at the instigation of the school.

*There are approximately 3,000,000 kids presently enrolled in public school (grades 1 through 12). Using the dropout rate based on adjusted holding power (approximately 22%), we calculate that 22% of 3,000,000 should drop out before graduation assuming, obviously, a static educational system in which no changes are made. See Appendix G.

Because we hypothesize a close relationship between academic failure and early school withdrawal, we examined the academic performances of youngsters in our sample districts. We found a pattern of academic insufficiency in all except the two comfortable suburban districts. Although the comparison of urban districts with state-wide norms is disturbing, the most startling comparison that can be made is the one between the scores of affluent, high-achieving district and those of urban school systems. We present this, not because we expect that city school scores can rival those of a suburb of upwardly mobile professionals, but because we believe it is important to illustrate the degree to which schools maintain the distinctions seen in the rest of our society. School success is the poor child's road into the educational middle class. Schools, instead of narrowing the gap between the poor and the middle class, appear to be perpetuating it.

ANALYSIS OF PEP SCORES

History of PEP - New York's Pupil Evaluation Program was designed to identify those students whose academic skills were weak enough to require special remediation. The math and reading tests were normed in 1966 and have been used for grades 3, 6, and 9, with some variations, every year since. In 1976, in response to state and national distress over high school graduates would could neither read nor cipher, New York instituted a series of basic competency tests to serve as graduation requirements assuring that a certain degree of literacy and subject-matter competency would be prerequisite to a high school diploma. These tests have taken the place of the 9th grade PEP tests.*

Interpretation of Scores - PEP tests may be considered a form of criteria-referenced tests in that they were designed to measure the degree to which specific instructional goals were being met. The norms are presented in such a way as to make possible comparisons across time, within and among districts. PEP norms were established in 1966, at which time it was decided that the scores achieved by the lowest 23% of the total state-wide tested population would be defined as below minimum competency.

PEP test scores can be expressed in terms of achievement bands: below average, average, and above average. As we examine the data, we will be looking for a decrease in the number of students in the lowest group. Those testing in the lowest level are said to be performing below minimum competency, a categorization designed to identify those students who need compensatory educational intervention.

Our use of the PEP tests to evaluate achievement and to identify educationally disadvantaged students is consistent with the goals of the program as defined by the State Education Department:

The program.... was designed to provide schools and the Department

*Because 9th grade PEP tests were not required after 1975, it was not possible for us to follow the progress of one class from grade three in 1970 to grade nine in 1976.

with a single uniform set of state-wide test data that would help identify a target group of educationally disadvantaged pupils, regardless of where they attend school, and give an objective picture of the severity of the problems of educational disadvantage in each.... school system in the state.[2]

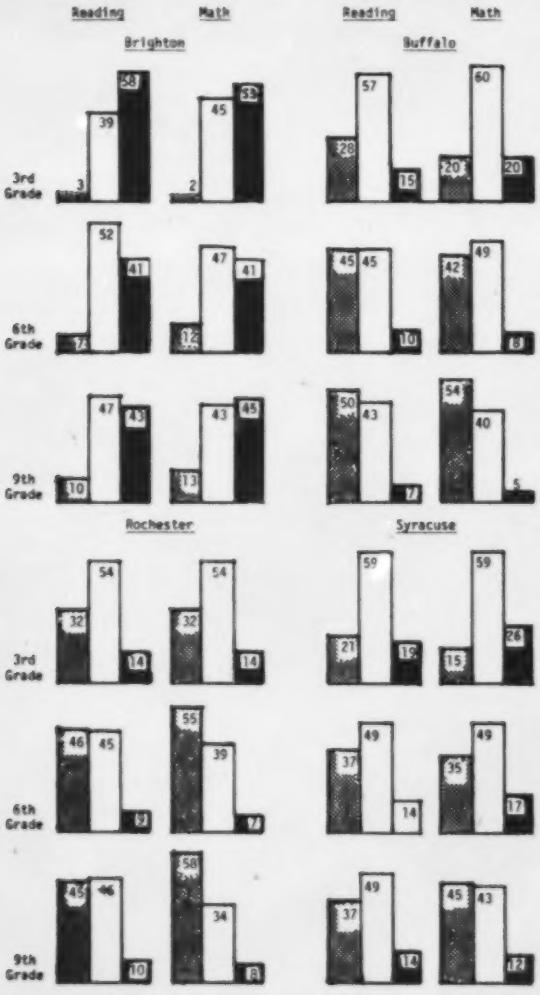
Urban vs. Suburban Scores - The most disturbing PEP score comparision to be made is the one between urban districts and affluent suburban communities. We have chosen to use Brighton as an example of a high-achieving, well-to-do suburb. There are wealthier areas, but Brighton, with its high proportion of professionals and academics, is among the top-ranking districts in the state. Table 11 shows Brighton scores for 1975, compared with Rochester and Buffalo scores for the same year. These scores are comparable with those of other years. In Brighton, fewer than 3% of the 3rd graders fall below minimum competency in reading. However, in Rochester, 32% of 3rd, 46% of 6th, and 45% of 9th graders score in that lowest range; Buffalo children perform similarly to Rochester children with 28% of 3rd, 45% of 6th, and 50% of 9th graders scoring in the lowest range. Brighton youngsters follow state-wide trends and do less well on 6th and 9th grade tests than they did on 3rd grade tests: by and large though, the direction of change is that scores fall from above-average to average, and not from average to below-minimum-competency, as they do in Buffalo and Rochester. Not surprisingly, then, we see in this comparison huge differences between the academic skills of city children and those of youngsters from high-achieving suburbs. Although those differences could have been predicted from what is known about performance of children across the state, it is our contention that the magnitude of the difference is neither reasonable nor inevitable.

Improvement in 3rd Grade PEP Scores - Table 12 shows the noticeable decrease from 1972 through 1976 in the number of Buffalo, Rochester, and Syracuse third graders scoring below minimum competency. In some New York City Community School Districts (CSD), too, we see the same steady, though slow, improvement in PEP scores from year to year. This pattern of improvement in third grade scores during the seventies is not true for all areas. Table 12 shows that in Yonkers scores have remained relatively constant, while in Hempstead they have decreased, as they have in other CSD's.

Curious about the reasons for the improvement in third grade scores, we spoke with the Assistant Superintendent for Schools in Buffalo to ask if he knew what had caused such a marked improvement in scores. Massive intervention was his explanation. The district had hired between sixty and seventy primary grade reading teachers; reading had been made the priority item in these grades; weekly in-service programs were instituted to give the teachers the skills needed to teach the children. And the program, begun in the fall of 1972, worked -- dramatically -- as Table 12 indicates. By 1973, youngsters who had had the benefits of the new program

TABLE 11

3rd, 6th, & 9th GRADE PEP READING AND MATH SCORES FOR SELECTED DISTRICTS IN 1975 (BY PER CENT)



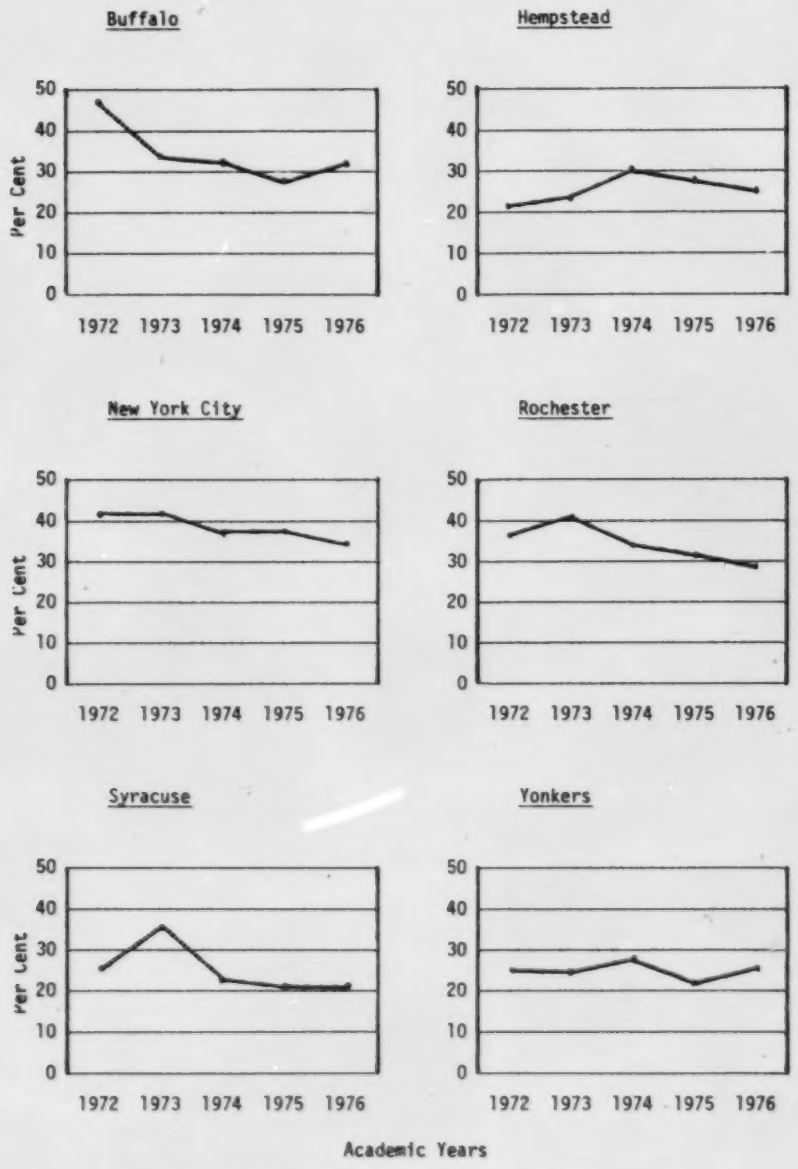
= % district student body falling below minimum competency

= % district student body falling into the average category

= % district student body falling into the above average category

TABLE 12

PER CENT DISTRICT STUDENT BODY PERFORMING BELOW MINIMUM COMPETENCY ON 3rd GRADE PEP READING TESTS IN SELECTED DISTRICTS 1972 THROUGH 1976



for only one year still had 13% fewer low scores than had been found in the previous 3rd grade class.

We spoke also with an administrator in Syracuse. There the score changes may have resulted from the implementation of a different instructional philosophy. Teachers were involved in the formation of a new curriculum for elementary reading; designed to focus instruction on the achievement of measurable objectives, the new program involved a major change in both educational materials and instructional techniques. This improvement in achievement occurred during the very years that the Syracuse and Buffalo enrollment of black and SSA students increased. (The same change in enrollment patterns was true of New York City and Rochester during those years.) The examples of Syracuse and Buffalo serve to support our belief that when instruction improves, so does the performance of the students.*

*There are other factors which might affect the results we have shown. There was some change in the third grade test, but since state-wide scores do not change as these city scores do, it seems unlikely that an alteration of the test would account for the dramatic improvement in the city scores. Teachers may be teaching more directly to the test; such teaching is an example of instruction focused on teaching particular skills and so it is a form of improved instruction. Teachers may be "coaching" for particular questions; this is unlikely since the test is given in the autumn and the administering teacher is not responsible for the achievement of those pupils.

Decline in Achievement from 3rd to 6th Grade - When we see improving third-grade reading scores, coupled with relatively similar results on the math tests, we naturally look to see if this improvement is maintained by those youngsters when they reach the sixth grade. However, as Table 13 indicates, in Rochester and Syracuse, there are more children scoring below minimum competency in grade 6 than there had been in grade 3. Yonkers shows the same trend -- an increase in the percentage of students scoring below minimum competency by 6th grade. Note that we are comparing test results of the same classes, three years later; i.e., we are comparing the scores of a third grade class in 1970 with the scores its members achieved three years later in 1973 in 6th grade. In Buffalo, however, from 1970-to-1973 to 1972-to-1975, there was a decrease in the number of students performing below minimum competency from grade three to six, but in the last class surveyed (1973-to-1976) there were 13% more youngsters scoring below minimum competency.

The 1973 third grade which suffered the tremendous drop in achievement by the time it reached sixth grade is the same class which performed so very much better than preceding 3rd grades as a result of the massive intervention program. However, the improvement in third-grade scores of that very same group was wiped out by the sixth grade. We hypothesize that the reason for the sudden change in the relationship between grade three and grade six scores is not that something had suddenly happened to impoverish instruction in the middle grades, but rather that nothing had happened to allow the youngsters to continue to grow as they had in the primary years.* To be successful, intervention must be continuous.**

One administrator in the State Education Department, speaking to this decrease in reading scores, said that by the sixth grade the students' success on the test reflects their knowledge: whereas the third-grade reading test used primarily narrative material, the sixth-grade test included content-type selections. Perhaps if the same attention that was paid to improving instruction in phonics in the primary grades could now be given to improving instruction in comprehension of content materials in the middle grades, we might begin to see an improvement in skills from third grade to sixth grade.

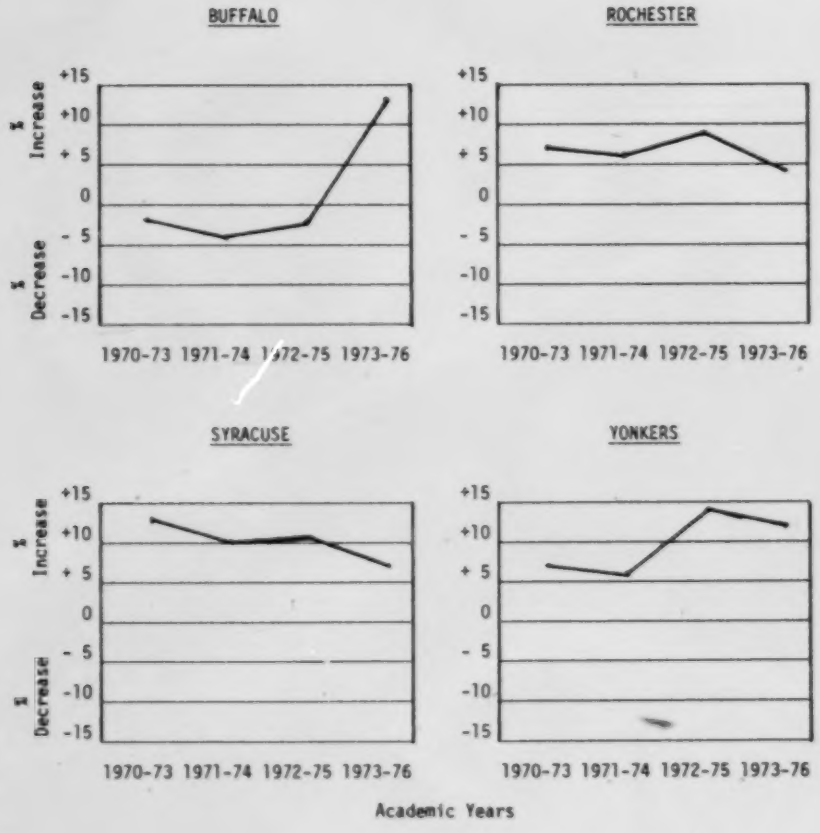
---

*This bears out the findings drawn from studies made of the Headstart Program. Gains made in early years tended to disappear as youngsters advanced in school; only those children enrolled in Follow-Up Programs continued their growth for as long as they were in the compensatory program.

**This conclusion of the need for on-going intervention was expressed by the Buffalo Assistant Superintendent who spoke of the district's wish to be able to affect intermediate grade scores in the same way they had primary scores. However, the city encountered problems in its attempt to do so. The in-service programs for primary teachers had been given during release time, but a recent commissioner's ruling has limited the amount of release time schools may give. Contracts with the Teachers' Union require that the district pay teachers for participation in in-service programs given after school hours. The cost bind is certainly part of the problem Buffalo faces as it tries to improve the skills of its students.

TABLE 13

GRAPH INDICATING THE CHANGE IN THE PER CENT OF DISTRICT STUDENT BODY FALLING BELOW MINIMUM COMPETENCY IN READING USING THE 3rd GRADE SCORES AS A BASELINE*



*The change-score represents the difference between the per cent of students falling into the below-minimum-competency category in the 3rd grade with the scores obtained by that same class 3 years later (6th grade). For example, if in 1970 there were 35% of the 3rd grade students identified as performing below minimum competency, but in 1973, 40% of the 6th grade class were so labeled, the change-score would be plus 5%.

9th Grade Performance - Table 14 shows high percentages of urban 9th graders performing below minimum competency. In Buffalo, for instance, in 1975, 54% of the scores were in the lowest range in math. In Hempstead, 67% of 9th grade students scored below minimum competency in math; in New York, it was 58%, in Rochester 58%, and in Yonkers 49%. Reading scores, too, were extremely low, though not quite as low as the math. In Buffalo, 50% of 9th graders scored below minimum compentency, as did 61% in Hempstead, and 49% in New York*. Some of the teen-agers scoring in the lowest range turned 16 during the ninth grade and were free to withdraw from school; almost all of them were free to leave the following year. It is hard to see how they would be able to fend for themselves in a world where certain basic computational and reading skills are required for almost all jobs, for family budgeting, and for basic understanding of the society in which we live.

Summary - In spite of some real improvement across the years in the achievement of third graders, the preceding examination of PEP scores indicates a pattern of failure in urban and minority schools as illustrated by the staggering disparity between the scores of Brighton and the urban areas, as illustrated by the declining skills of particular children as they progress through the grades, and as illustrated by the large numbers of ninth graders performing below minimum competency. If city children can learn in the primary grades, then they can learn in the middle and the secondary grades -- if the schools determine to expend the effort necessary to teach them. It would be instructive to look at two successful schools and to examine some theories which offer suggestions to schools about how to help curious and bright little boys and girls grow into curious, bright and successful big boys and girls.

POSSIBILITIES FOR SUCCESS

In one New York City third grade classroom, writer Nat Hentoff [3] saw little beside ordinary coloring books; in response to Hentoff's question, the principal said that the little children had such problems at home it hardly seemed fair to make them work in school. An extreme example? For sure. But containing a large core of truthtelling? Yes, indeed. Perhaps the principal was not held accountable for the failure of his school to teach those third graders because no one really expected anything very different. If the community believes that poverty and degrading social environments preclude learning, then educators can only be praised for unexpected success, not damned for foreordained failure.

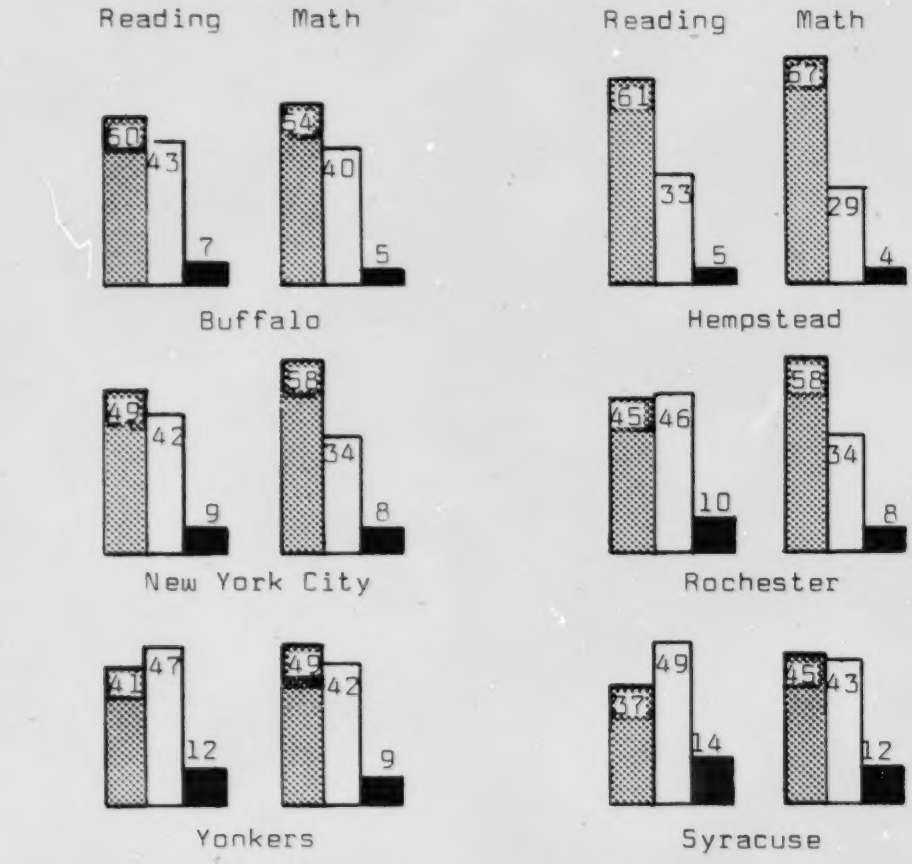
Two Successful Schools - But poverty need not be a bar to learning. Both Hentoff, in Does Anybody Give a Damn, and Thomas Sowell, in "Patterns of Black Excellence," [4] cite P.S. 91 as a place where economically-

*Scores for individual Community School Districts are far worse. In reading, five CSD's had more than 70% of their students scoring below minimum competency. In math, eight CSD's had over 70% of the youngsters in that range!

Erratum - This sheet replaces page 47.

TABLE 14

PERFORMANCE ON 9th GRADE PEP READING AND MATH TESTS REPRESENTED AS PER CENT OF STUDENTS FALLING INTO THE BELOW-AVERAGE, AVERAGE, & ABOVE-AVERAGE CATEGORIES (IN SELECTED DISTRICTS - 1975 ONLY)



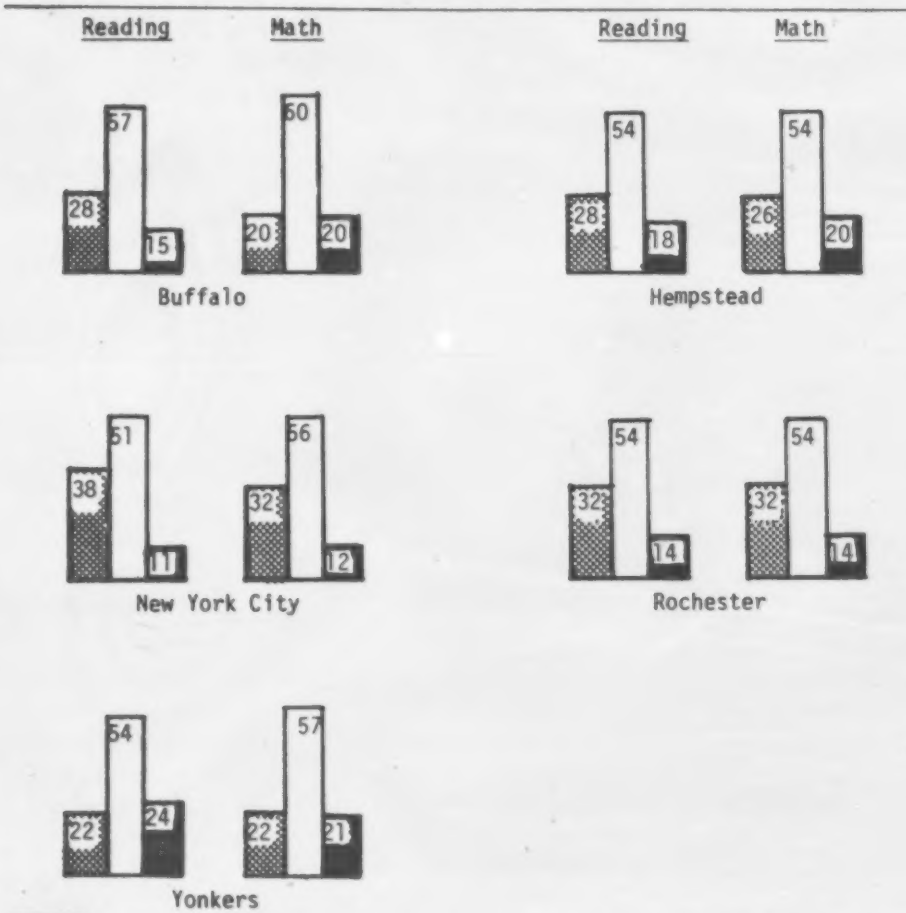
= % district student body falling below minimum competency

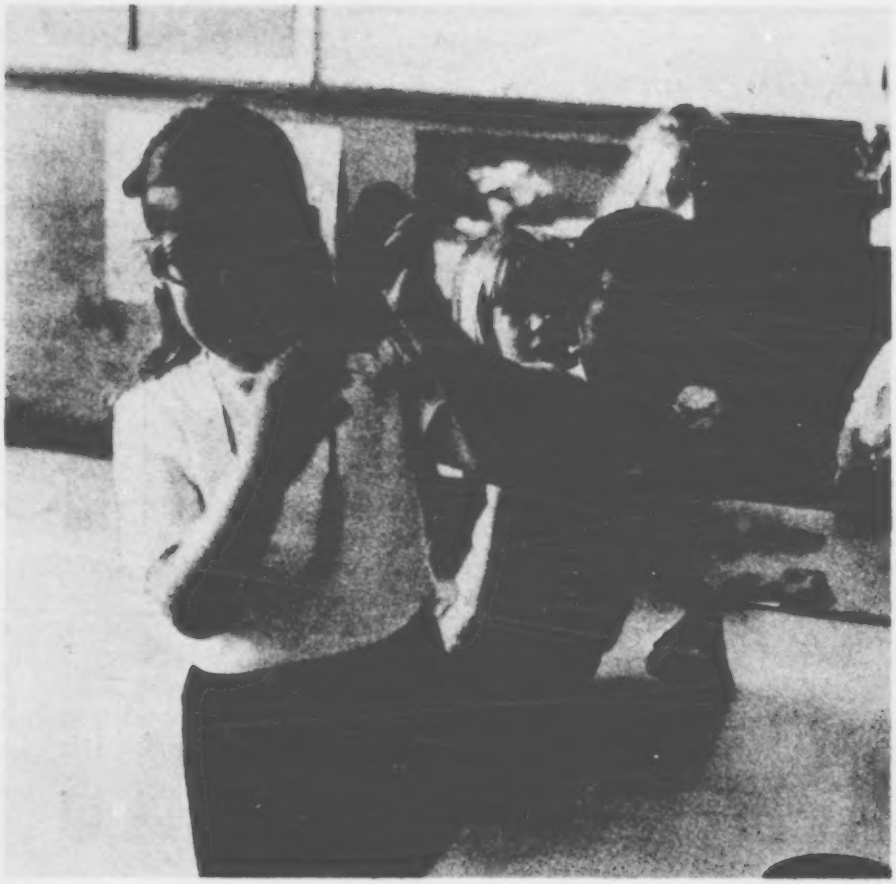
= % district student body falling into the average category

= % district student body falling into the above average category

TABLE 14

PERFORMANCE ON 9th GRADE PEP READING AND MATH TESTS REPRESENTED AS PER CENT OF STUDENTS FALLING INTO THE BELOW-AVERAGE, AVERAGE, & ABOVE-AVERAGE CATEGORIES (IN SELECTED DISTRICTS - 1975 ONLY)





deprived city kids are not educationally-deprived; there the principal's belief that it was his job to see that children learned was translated into academic success for the youngsters in his school. Judging from the discussion given in both writings, Martin Schor, the principal of P.S. 91, has no magic other than the belief that the job can be done and the organizational skills necessary to implement that conviction. The school is located in the heart of the Brooklyn ghetto and its students suffer from all the ills associated with such a neighborhood; yet, time and again, its test scores approximate national norms - not ghetto norms. P.S. 91 places great emphasis on skills mastery from the kindergarten year on; homogeneously-grouped classrooms, within which students are further grouped according to skills level, allow for accurate targeting of instruction. Schor runs a "tight ship," a quiet, well-disciplined school where average teachers can succeed. Our purpose is not to advocate the particular techniques or programs used in P.S. 91; it is to state that in this ghetto school children are learning.

The job can be done on the intermediate level, too, as demonstrated by Luther Seabrook's accomplishments at Intermediate School 44 in Manhattan. There the traditional pattern of authoritarianism is modified somewhat, but not the demand for excellence. According to Seabrook, no child is allowed to graduate from his school (8th grade) with below a 6.2 reading level. A high school entrant who scores below that level is automatically shunted into the general, not the academic, high school program; and that, to Seabrook, is a prescription for wasted years. To assure growing mastery of the required work, Seabrook has a strict promotion policy. Youngsters move from one grade to another only when they have mastered the skills necessary for success at the new level. Test scores show that youngsters in I.S. 44 are making significant academic strides.

The demand for success, both from students and teachers, and the demand for mastery, are what Schor and Seabrook have in common. When children succeed at a simple task, they have the courage to try the not-so-simple task. When they fail, first the easy and then the more difficult, they come to expect failure and to believe that there is little, if anything, they can do to avoid that failure. Perhaps children who give up when they face the possibility of failure have come to believe that there is:

> Independence between what they do and what happens to them. Even though failure may indeed be contingent on their response, they may not see it as such.[5]

Called "learned helplessness" by the psychologists, this attitude is familiar to any teacher: "I can't possibly do it, so there is no reason to try because trying doesn't get me anywhere anyway!" Some sensitive teachers intuitively know how to cope with this; the schools we discussed cope with that attitude through a structure which minimizes the opportunities for students to develop feelings of helplessness. Some educational theories encourage educators in their efforts by suggesting specific ways to help youngsters develop positive attitudes towards their ability to learn.

Mastery Learning - A theory of mastery learning developed and tested by Benjamin Bloom hypothesizes that actual learning, as measured by tests, is about 25% dependent on the students' perceptions of what they will be able to accomplish.[6] Bloom postulates a positive relationship between students' prior learning, their attitude towards learning, and their actual specific success with a given academic task. The significant lesson to be learned from Bloom is that the first two variables need not be taken as given, but are definitely adjustable. By requiring understanding of a simple task before allowing a student to progress to the more complex task, the teacher is influencing both the student's prior learning and the student's attitude about how much he can learn; the teacher is thus increasing the probability that the student will succeed at the specific immediate task, and at future tasks. It seems that the teachers' expectations for success, communicated by demanding success, can significantly increase youngsters' achievements.

Learning as Related to Self-Image - In a theoretical discussion of the relationship between academic self-concept and general self-concept, Bloom suggests that a negative academic self-concept may increase the likelihood that an individual will also have a poor general self-image. People with little sense of their own worth may be impelled to seek positive reasurrance of their value in whatever place they can find it. Unskilled and untrained teen-agers have few places where they can find legitimate and positive indices of their worth.

> Some individuals must turn to less socially approved areas (e.g., gangs, illicit activities) to find the rewards and self-approval denied them in school and school-related activities. [7]

Disruptive behavior, truancy, and other forms of self-defeating activities may be ways of earning admiration in the society of would-be and actual dropouts. These behaviors might become less necessary were students to get positive reassurance from their academic work.

The achievements of P.S. 91 and I.S. 44 indicate that demand for success breeds success and that good schools can, indeed, make a dramatic difference in the way youngsters perform. In general, the poorer the academic performance of a given school population, the greater will be its incidence of disciplinary problems. This tends to be true for the individual as well as the group: "with few exceptions the greater the academic deficiency, the greater the incidence of unacceptable behavior." [8]

RECOMMENDATIONS

The urban schools can, and must, appreciably strengthen their students' basic competency in math and reading. To achieve that end:

1. The school districts must develop comprehensive efforts to improve the skills of those working below minimum competency. Compensatory education programs must be extended to all grades, so that students who need special assistance are not abandoned as they reach the higher grades.
2. Districts must make parents aware of the academic problems of their children by revising report card formats to clearly and simply reveal each child's math and reading competency level.
3. They must choose principals and teachers who display a basic confidence in the ability of low-income and minority children to perform with the excellence they would expect from middle-class white populations.
4. The State of New York should reinstate the requirement of PEP tests for 9th grades.

CHAPTER THREE

DISCIPLINE

For most of the past decade, Americans have considered discipline to be the number one problem in the schools.[1] But school "discipline" concerns itself with a wide variety of behaviors. These range from truancy to gum chewing, from school attire to refusal to obey faculty commands, from fighting and vandalism to the refusal to complete homework assignments, and from loitering in the halls to general noisiness in classrooms. Clearly, much of the public's concern is rooted in fear for the physical safety of children and faculty and focuses on school violence, theft, and vandalism.

However, there is increasing evidence that the actual incidence of such serious acts is not as high as many think, and is appreciably lower than the incidence of similar behavior in the community in general.[2] Moreover, in some schools the violence of the surrounding communities spills over into the schools. In any case, no one disputes the need for a strong response to such behavior. We cannot ignore that there are children whose violent behavior causes serious difficulties for those entrusted with the task of educating them. Nonetheless, our society does not have the option of giving up on violent youngsters. When we argue, as we do, for appropriate education for all youngsters, when we say that the schools must help them, we are pleading for the well-being of us all. We do not expect, however, that the violent adolescent can be helped in the "regular" classroom, but we do expect the society to provide an environment in which that child can be helped lest the "child" become a lifelong burden to us all.

More troublesome because much more frequent are the minor acts of in-school loitering, of classroom disobedience, and of sassiness and insubordination which can interfere with instruction and which often lead to disciplinary action. What to do about such minor acts of misbehavior is not at all clear, and very much in dispute. Standards of behavior differ significantly from individual to individual, and from one sub-culture to another. Adaptive behavior on the street may be highly unadaptive to the factory or to the school.

Schools have traditionally held to the notion of education as preparation for future employment, to include not only the development of academic skills but also of appropriate patterns of behavior. Many of the requirements for comportment in the schools are based on their assessment of the future appropriateness of that behavior. Restrictions on dress, on expression of opinion, on truancy and tardiness, on the chewing of gum, as well as the requirements of total respect for and response to the

60

orders of authority figures, derive as much from this base as from a fear of disorder.

> Rather than respecting the cultural and normative differences, often officials reject particular student values and treat them as inappropriate.[3]

Still further restrictions on student freedom have evolved from over-emphasis on the importance of orderly institutional functioning. Much of what school systems currently define as "minor misbehavior" represents little more than expression of individuality and personal dissatisfaction with the education offered. Before responding, administrators must ask whether it is the behavior or the institution which is disfunctional. Unfortunately, schools have too frequently responded to minor abridgments of school regulations by either temporary or permanent exclusion of offending students. Inappropriate or unnecessarily severe discipline is often interpreted as rejection and may result in more severe acts of disruption.

No one would deny that classrooms must have some order if teachers are to teach. Our concern focuses on how that control is achieved and whether it is achieved at the expense of denial of education to large numbers of students, on the one hand, and at denial of basic freedom of self-expression and individuality, on the other. We are concerned, too, about the character of the disciplinary procedures, whether they instill in young people the self-discipline and self-determination they will need to handle their adult responsibilities.

In this chapter, we will examine the role of principals and teachers in the establishment of discipline; we will look at the methods New York State administrators use to cope with the problems of discipline in their schools, at the extent to which those practices conform to the laws of the federal and state governments, and at the frequency with which districts codify and publish regulations concerning school behavior.

HOW DISCIPLINE IS ESTABLISHED

What the Principals Believe - Recognizing that the principals set the tone for the school, we asked the principals what they thought was the best way to cope with the school discipline problem. By and large, when confronted with a question of philosophy, the principals answered in a humanistic and individual-centered fashion. 24% of the principals answered this theoretical question by stressing the need for principals and all school personnel to:

1. Show students that the authorities in the school cared about them personally;
2. Display a positive attitude toward the kids; and
3. Communicate to them the administrators' beliefs that the students were worthy of respect and were able to learn. These principals spoke of the importance of letting kids know that there was always someone to talk to, someone who would be concerned about their welfare, and who would treat them with kindness and respect. Another 24% of principals answered

the question by speaking of the need for just and fair treatment of offenders, of the need to enforce rules with discretion, and of the need for those rules to be reasonable. Other answers indicated the principals' interest in a cooperative approach -- emphasizing communication and cooperation with parents. Only 12% of answers called for firmness as the answer to discipline problems. Not one principal said that we should increase the number of suspensions, and not one of them spoke of the need for harsher disciplinary techniques.*

How the Teachers are Prepared - Teachers, of course, share in the responsibility for creating an orderly environment. Our belief that we cannot take for granted the teachers' knowledge about how to produce that order is confirmed by a variety of sources.

> Discipline is probably the one area in which new teachers have less security than any other. In pratically any listing of first-year teachers' problems, discipline is cited and appears at the top of most lists. [4]

A California professor involved in the training of teachers writes that his course on Student Behavior and School Discipline is one of the few courses offered on that topic. Furthermore:

> In my studies of urban, suburban, and rural high schools in New York and California, I have found fewer than 10% of the schools sampled sponsored a single in-service activity related to school discipline. [5]

Our sample of principals indicates a somewhat greater frequency of in-school training in techniques of classroom control. 22% of principals responding said that their schools offered such programs. 62% said that they did not provide such training and the rest gave answers too vague for us to classify. The significant fact is that over 60% of the schools in our sample give teachers little or no assistance in the area which most Americans perceive as crucial and which most beginning teachers find so difficult.

> *I asked a 7th grade girl to stay after school for some minor misbehavior. 'I ain't gonna sit down,' announced the student. 'You will stay until you sit down and then you may leave.' 'I ain't.' Forty-five minutes passed and the girl still had not sat down and I was at my wits' end. I didn't know what on earth to do, so I finally called the vice-principal, who gave the girl some story about school being in loco parentis, etc. Finally, after over an hour had passed, the girl sat down and then I let her leave. For weeks after that, the child refused to look at me, paid no attention in my class, and generally showed her fury at my exercise of authority. The detention had been correct, the authority was justified, but if only someone had told me that that way of exerting it was stupid. Later I learned that providing youngsters with options prevents many confrontations which result from the choice of compliance or defiance.*
>
> *Female Upstate Teacher*

*A recent national study on school violence confirmed the principals' belief that the personality of the principal can decrease violence and disruption -- and that increased harshness and severity do not effect significant decreases in violence and disruption. (From Violent Schools - Safe Schools, prepared by the National Institute of Education of the Department of Health, Education and Welfare.)

There is no doubt that improved classroom management techniques can significantly reduce the incidence of disruptive classroom behavior.

In the following discussion, we focus on useful discipline for chronic disrupters and marginal students. If we seem to be over-emphasizing the need for caring discipline, it is because so many students we interviewed, and so many appearing in advocates offices, felt that their schools never cared about them. Firmness is essential -- but so is expressed and demonstrated concern.

> *Charles dropped out of school during his senior year. Although he had generally disliked school, he had been a fair student and had enjoyed the school's wood shop and his many school friends. When he felt he needed help with his subjects, he found no one to give him the necessary extra assistance. One day, when he needed to talk with his counselor, he was told that he couldn't have a pass until after school. Pressed by Charles for the time, the counselor said, 'Get out of here or I'll punch you in the mouth.' Charles was suspended frequently for smoking and skipping. The principal told him that he didn't have the time for Charles, 'time for the hassles I was giving him. In a way, he was right.' Recognizing the importance of the education he has lost, Charles now says, 'What the hell good is it to be pumping gas for the rest of your life.'*
>
> *Syracuse*
> *White*
> *Male*

When nobody seemed to care about him, Charles began to feel that he was not worth anybody's time. He left school. And now his own future does not seem to be worth his own time.

Recognizing that some schools had serious problems of disruption, we tried to find out if the schools had any programs aimed at helping chronic misbehavors.* We found that 44% of our sample schools had no such programs. Only 37% of the schools did provide the programs, many of which were probably not more than periodic counseling sessions.

Are the Kids Helped ? - If discipline is to have anything more than symbolic value, it must be designed to meet individuals needs. This is particularly true for those youngsters who are not functioning successfully in school. The school must recognize that the process of adjusting student to school is a two-way street. While the school cannot tolerate major disruption, it can and should review, and wherever possible change, those inappropriate curricula and procedures which may aggravate a student's behavior problem. In short, good disciplinary procedures must address the causes as well as the symptoms.

---

*In Rochester one positive example is Franklin High School's newly-developed group "rap" session program which works with disruptive students to help them avoid confrontation and suspension.

DISCIPLINARY MEASURES

Our questionnaires included a series of questions on the disciplinary techniques actually used in the schools. We inquired whether the principals used any of a variety of measures for disciplinary purposes. The following pages will indicate the methods used, the principals' comments on these procedures, and our response to the legality and appropriateness of the techniques.* Table 15 illustrates the percentage of surveyed principals who use particular forms of discipline.

TABLE 15

PER CENT OF PRINCIPAL-SAMPLE USING SELECTED DISCIPLINARY MEASURES

Disciplinary Measures	Per Cent Principals
Assignment to more study halls	27%
Detention	66%
Sitting in an office or hall	66%
Denial of extra-curriculars	44%
Disciplinary transfer	48%
Work detail	57%
Increased homework	36%
Corporal punishment	24%
Suspension	99%

Extra Homework - 36% of principals said that such assignments were made in their schools. Many indicated that they did not approve of assigning increased homework, but that they knew their teachers did it anyway.

We believe that the only way homework-as-punishment can be useful is if it comes in the form of supervised out-of-class work. If the teacher is there when the youngster is doing extra work, then the teacher accomplishes two things. She helps him with his work and she shows that she cares enough to spend her time helping.

Assignment to More Study Halls - 27.2% of our principals have used this technique; most of those assigning students to additional study halls said that they did so when it was necessary to remove a youngster from a par-

*For a fuller discussion of the legality of some of these techniques, see Education Law Manual for New York State, a publication of the Statewide Youth Advocacy Project.

ticular class, usually when there had been some form of conflict between the student and the teacher. Roughly 50% of the principals in Rochester and Buffalo, and 40% in Corning, spoke of assigning kids to extra study periods; this is a significantly larger percentage than found in other areas.

More often than not, conflict occurs in a class where the student is having academic difficulties. Even temporary removal from the situation only heightens the academic problems and it allows the student to continue using avoidance-techniques as a means for dealing with school failure. Should assignment to consecutive or frequent study halls effectively remove a student from his classes, then it constitutes a suspension and is subject to the provisions of Educational Law Section 3214.

Detention - 66% of the principals said that some form of detention was used in their schools. Unless parents refuse permission, detentions can be held before or after school by individual teachers or by administrators. For detention to be useful to troubled or marginal students, an adult supervisor must have the opportunity for private conversation with the student.

Sitting in an Office or Hall - 66.3% of our sample used this as a means of removing disruptive students from class or as punishment for other offenses. In most cases, the students were waiting to speak with an administrator, and the wait could be up to a few days; often students waited a good part of a day until the dean or principal was free to speak to them. Enforced waiting is belittling. It tells students that they are unwanted and unimportant, and increases their sense of frustration and anger. Legally, if a student is removed from class and spends a day or so waiting to see someone, he has been effectively suspended from school without the minimal safeguards that the law grants.

Work Detail - 56.5% of the principals said that they sometimes used assigned clean-up type of work as a form of punishment, usually in cases where students had littered or otherwise defaced school property; in many instances, students were given a choice of punishment or their parents were involved in the meting out of punishment. Buffalo and Corning stand out here in that only 35.1% and 20%, respectively, of their principals use work details as punishments.

It is self-evident that students should not be used to supplement inadequate custodial staff. Although there have been no litigated cases, it is dubious that forced-work detail, as a disciplinary sanction, would survive challenge under the constitutional provision prohibiting involuntary servitude. Nonetheless, work assignments are permissible as a voluntary alternative to some other legally permissible sanction, such as suspension.

John was accused of involvement in a food-throwing incident in the school cafeteria. His punishment was assignment to cafeteria clean-up duty for one week. John objected to the punishment, saying the food had been thrown at him and he had not thrown any. He was not given an opportunity to call his own witnesses to prove he had not done the throwing. He attended a couple of the clean-up sessions and then refused to go again.

He was assigned to an extended period of clean-up duty. Again, he went and then refused and, again, the period of duty was extended. John is now responsible for at least one month of cafeteria clean-up duty for an offense which he says he did not commit.

Upstate
White
Male

Denial of Extra-Curricular Activities - 44.4% of the principals said that their school did punish by denying students the right to participate in extra-curricular activities: most, however, said that this was used as a result of suspension or when the offense was clearly related to the sport or activity that was then denied. All principals recognized the importance of out-of-classroom activities and indicated a reluctance to deprive kids of them unless it was essential; usually the punishment was meted out by the coach or teacher directly involved in the activity.

For those students who are really involved in, and care about, school matters, this can be a powerful punishment. For those students who are at best marginally involved, denial of the right to participate in sports and clubs may sever the only tie there is to the school, and remove the child from the only activity to which he has a positive response. Legally, a student may not be excluded from extra-curricular activities such as sports or student government in an arbitrary, capricious, or unreasonable manner. Exclusions should not be left to the personal discretion of a single individual such as a coach. While a full hearing is not normally required, there are strong reasons for arguing that a long-term exclusion from extra-curricular activities requires complete procedural safeguards.

Grade Reduction as a Form of Discipline - Although we did not include a question on this issue in our questionnaire, we have considerable evidence from advocate case experience that schools do threaten and carry out grade reductions as punishment for truancy and for selective attendance. In the Jamestown Central School District, the acknowledged policy is that class-cutters have five points taken off their grades for the first cut. In addition, they are assigned to an in-school detention room for one entire day, which constitutes an unexcused absence from class and loses them five points from their grades in each of their classes -- thus, a total of ten points in the class which they had originally skipped. They are not permitted to take make-ups on exams given during the missed day. Although there have been no challenges to this practice in New York State courts, the New Jersey Commissioner of Education has ruled it illegal, a ruling which we believe would be followed in a New York procedure.

Corporal Punishment - 24% of the principals we surveyed said that physical punishment was used in their schools. In Buffalo, the Assistant Superintendent said that corporal punishment was not used; two responding principals stated that it was contrary to district policy, or illegal, and yet three Buffalo principals said that they used corporal punishment. Of the

24% of principals using corporal punishment, one-half said that it was done only with parental approval or upon parental request. In Niagara Falls, where there is general district policy allowing the use of physical punishment, two high school principals said that they did not use it because it was inappropriate, even absurd, for high-school-age kids; the third high school principal said he used it very rarely.

Concerned about the incidence of corporal punishment in New York State, the Statewide Youth Advocacy Project distributed 190 questionnaires to randomly selected school districts throughout the state. Of the 60 districts responding, 37 permitted physical punishment of students. Only half of those had guidelines requiring that students be warned that particular actions might lead to a spanking. 6 of the districts allowing corporal punishment had no guidelines at all regulating its use. Absence of guidelines implies that teachers using physical force against students are restrained only by the state's controlling legislation.

New York State Law allows schools to use physical force short of "deadly force" to maintain order. Because of the permissiveness of the state statute, there are no meaningful restructions on use of physical force by teachers or administrators. Even the United States Supreme Court has not found it appropriate to extend to school children the same protections against physical abuse given to convicted felons.

Advocacy experience has shown us that physical abuse of students is more common in rural and small urban areas than in large urban or suburban communities.* In Corning recently, a teacher punched a youngster in the eye, an injury which required emergency room treatment, and yet the judge found nothing contrary to law -- because, indeed, there had been no action contrary to law. The force exerted had, indeed, been less than "deadly force." 35% of our dropout sample reported that they had been hit or physically shaken up by a teacher or administrator.

Physical abuse need not be just paddling or punching.

> *One warm early spring day, a teacher next door to me held detention in his room, closed the door, turned the heat up all the way, and required that the kids sit there with coats, sweaters, and hats on. If he had kept them there any longer, some kids would have passed out.*
>
> *Upstate*
> *Male*
> *Teacher*

Such punishment is unlikely to do lasting, or even temporary, physical damage but it does engender deep feelings of hostility and of helplessness in the face of arbitrary authority. Frustration and anger will surely be inappropriately vented in the school -- the setting that produced them.

Laws cannot totally change human behavior, but they certainly can

*This experience is confirmed by the survey done for Violent Schools - Safe Schools.

inhibit many improper actions. State laws making physical punishment illegal would go a long way to correcting the abuses and to giving parents recourse when their children have been so punished.

Suspension - Suspension is the one method of punishment which is used by virtually all principals, although many did indicate that it was the punishment-of-last-resort. Use of suspension to control minor disorder or misbehavior has been inappropriate, producing resentment, anger, and increased academic difficulties. (For a full discussion, see the following chapter.)

In-House Suspension - 33.3% of principals said that they use some form of in-house alternative to suspension, most frequently a type of administrative supervision. In general, this meant that the troublesome student was removed from his classes and told to do his work in proximity to an administrator. In that form, in-house suspension is a fairly new name for a practice that may have been used for a long time.

New out-of-class arrangements for disruptive students offer promise as an alternative to exclusion from school. At present, there are no state guidelines for use in in-house suspensions and we believe that, along with great potential for constructive use, the practice is also liable to flagrant abuse unless restrictions are accepted. Assignment to in-house suspension is still a suspension and should be regulated according to the state regulation on suspension, Section 3214: only the principal or his superiors can impose it; parents have the right to conference with the principal and complaining witnesses; and, if assigned by the principal rather than the superintendent, the suspension may not be imposed for a period longer than five days. It must not impose severe physical hardships, such as denial of bathroom facilities, heat, light, or food. (See Chapter Four)

Disciplinary Transfer - Many school districts use transfer from one school within a district to another as a form of punishment. In those districts whose size permitted disciplinary transfers, about 50% of the principals said they made such transfers. There is a problem with terminology here, in that one principal's adjustment transfer may be another principal's disciplinary transfer. In Rochester, Syracuse, Buffalo, and Yonkers, there are clearly enough choices in schools to make disciplinary transfers possible for principals. 73% of Rochester principals said they used the technique, 42.8% used it in Syracuse, 64.3% in Buffalo, and 27% in Yonkers.

In those districts, disruptive youngsters are often transfered from their home school to a similar school or to an alternative school. In most instances, disciplinary transfer follows after suspension, when the suspension has not changed the undesirable behavior. In Rochester, disruptive and/or truant over-16-year olds are routinely transfered to evening schools, and just as routinely drop out.

The standard of evaluation for school transfers ought to be based primarily on whether or not the move will benefit the student. Difficult youngsters may indeed cause problems for those trying to educate them,

but transfer all too often serves only to, in the words of one Rochester principal, "transfer the kid and his problems someplace else." If the administration is able to demonstrate that the change of school environment will indeed be of value to the student, then the transfer is justifiable.

Schools need to develop clear criteria for transfering students, to assure that transfers are made only when there is good reason to believe that another school will do a better job of educating that youngster. Such a standard is essential because, even with the best of intentions on the part of the district, excluding a student from his home school will give him negative messages about himself.

All of the surveyed principals who made disciplinary transfers said that they notified parents prior to the transfer, but 73.4% of them said that a parent's signature was not required for the transfer; notification, yes -- approval, no. In fact, 88.2% said that parent conferences were always held before transfer and 9.8% said they were sometimes held. When asked what would happen if the parents disapproved, the principals' answers were vague and generally unclassifiable. We believe that disciplinary transfers, in fact that all involuntary transfers, are of such importance in the educational lives of the students that there should be procedural guarantees assuring the students and their parents the right to discuss, evaluate, and, if desired, appeal the proposed transfer. Present practices indicate to us an alarming degree of district autonomy in matters vitally affecting a student's education.* This autonomy permits principals to use transfers to push out students, thus abridging the students' needs for education and the schools' responsibility to educate them.

Although, since the late 1960's, New York State has recognized due process rights in matters of suspension, state regulations have not yet begun to deal with the transfer question as an equivalent, if not greater, disruption of the young person's education. New York lags behind New Jersey, Connecticut, Tennessee, Pennsylvania, and Illinois (among others) where Federal and State courts have ruled that disciplinary transfer of students without due process is a violation of their constitutional rights. In comparing suspension (as dealt with a Goss v. Lopez ^ to the issue of transfer before his court, the judge in the case of Everett v. Marcase commented:

> Realistically, I think many, if not most, students would consider a short-term suspension a less drastic form of punishment than an involuntary transfer, especially if the transferee school was farther from home or had poorer physical or educational facilities.

Transfer, then, is seen as of vital interest to the students, sometimes just because the new school is farther from home and friends, and sometimes because the education provided is of non-equivalent or inferior quality. In cases of disciplinary transfers to the 600 schools in New York City, or into an evening school in Rochester, the youngster is being placed in a very

*See Appendix K for a copy of a bill introduced into the New York State Legislature addressing the issue of transfers.

different kind of educational environment, one which deprives him of many of the opportunities in his home school. The guarantee of students' rights to due process in the issue of transfers is not, then, simply an empty assertion of legal rights but is rather a vital protection against arbitrary administrative actions.

DISCIPLINE CODES

Justification for Codes - Earlier in this chapter, we discussed the responses we received from the principals on the question of the best way to establish discipline. 24% of those responding stressed the need for just and fair administration of discipline. We think it is perfectly clear that rules cannot be fair unless students know what they are and also know the consequences of violating those rules.

Social order in any democratic society is built upon the rational rule of law, developed by those vested with the proper authority and clearly defined to all citizens. Laws are most effective when they are recognized as serving the public good, when they are fairly and impartially enforced, and when the rights as well as the responsibilities of citizenship are understood by all.

We believe the same principles hold for maintenance of discipline in schools. When regulations are not clear, rights and obligations are not understood and respected. When potential consequences to violations are ill-defined, school administrators appear arbitrary in their imposition of discipline, thus intensifying the student's sense of powerlessness and increasing student defiance. Fair rules, published and equitably enforced, give sanction to specific disciplinary actions.

> *The ... (discipline) ... problem is compounded by the multiple standards that now exist in our society, ranging from the rigid patriarchal family to the completely premissive commune. Such a multiplicity of norms require the school(s) to constantly appraise and justify their policies and practices.*
>
> *Horseheads School District Memo*

When written codes specifically define both the prohibited conduct and the severity of the potential punishment, students and their parents can then clearly understand the disciplinary guidelines and their rights with regard to them.

Our interviews with dropouts revealed that authority and rules of the school ranked third (after teachers and curricula) as the most disliked aspects of school. Students objected not only to rules they perceived as too restrictive, (i.e., prohibitions against smoking or being in the halls without passes) but also to the failure to establish or enforce justifiable and essential rules.

If our schools are to prepare students for active participation in a democratic society, they must participate in the development and implementation of the regulations governing their lives in the school society. Development of, and a role in the enforcement of, regulations instills increased understanding of their rationale and a stake in adherence to them.

Existing Codes - From our interviews with principals, we learned that 75% of the schools had some form of publication defining school regulations. These statements vary considerably in form and content:

1. Some are in very small print and in language presumptive of a high level of reading comprehension.

2. Few refer in any way to the rights of students, and where they do, they are often not specific. The Niagara Falls school manual sent to parents states, "Your rights will be safeguarded. All decisions are appealable." As open and reasonable as this statement is, it still neither defines the safeguarded rights nor explains the appeal process.

3. Many use vague language to define prohibited behavior. Thus, although printed statements of student regulations are frequently prepared, these statements are seldom more than a list of "do's" and "don't's;" seldom are specific penalties attached to particular acts; and only rarely are students' rights asserted. Furthermore, few Boards of Education have fully defined policies on discipline which are published in student codes of responsibilities and rights.

Students' Knowledge of Rights - Advocates report that students appear to have only minimal understanding of their legitimate rights. Without that awareness, students frequently react to the perceived arbitrariness of authority by open defiance of justifiable, as well as unjustifiable, authority: "I won't!" or "You can't make me!" or far less polite ways of saying the same thing are all too common in the schools. Students, in fact, display scant recognition of the legitimate constraints upon the exercise of administrative authority. Advocates report that even street-savvy kids do not know that there are rules concerning length and imposition of suspension. Our interviews and advocate data imply that few 16-year olds understand that they have the right to a free public education: numerous dropouts reported that they had left school simply because the dean or the vice principal told them not to come back.

Many school districts have found that clearly defining for students the rights guaranteed to them, the restrictions on their activities, and the consequences inevitable on the violations of those restrictions will work to significantly reduce school incidents requiring disciplinary action. [8] Nonetheless, only a few schools have instituted instruction in school responsibilities and rights, whether as part of the basic social studies curriculum or as part of the orientation for new students.

The Need to Develop Codes - School districts today need to develop and distribute clear district-wide codes of conduct, rights and responsibilities, and booklets outling individual school regulations and procedures. Together, these two publications should form the basis for a consistent district-wide policy, conforming to state and federal law and to judicial precedent.

What Code Books Should Contain - A good code book should define pertinent legal protections and mandates for students, including:

1. The rights to education for students:
   A. From 5 to 21 years of age
   B. With special needs
   C. Who wish to leave or to re-enter school
   D. Who are pregnant
2. The prohibitions of sex and race discrimination.
3. The school discipline policy, including:
   A. Acts which are prohibited
   B. Specific consequences of commission of prohibited acts
   C. Due process entitlement in discipline
   D. Types of discipline:
      1) Detention
      2) Long- and short-term suspension
      3) In-house suspension
      4) Disciplinary transfer
      5) Corporal punishment
      6) Other
   E. Persons authorized to discipline
4. Freedom of expression:
   A. Right of association and to choose speakers
   B. Right to distribute literature
   C. Personal appearance
5. Police in schools
   A. Searches in schools
6. Access to student records
7. Extra-curricular activities
8. Student government

These codes must be a joint effort of the school board, students, parents, and administrators if they are to achieve the broad respect and the significant input of all who must relate to them.

The Need for a Model Disciplinary Code for the State of New York - The development of codes for student behavior and discipline is a major task. In many states, the Departments of Education have sought to assist their local school districts by developing a State Model Code to serve as a model for the individual district codes. The State Department of Education has issued Guidelines for Student Rights and Responsibilities but the small printing has restricted distribution to one-per-school (unless special requests are made, in which case ten are issued).

The states of Maryland, Pennsylvania, and Michigan have now completed their state disciplinary codes. (The Pennsylvania model establishes a system for ranking violations of disciplinary regulations and for imposing sanctions.) The clarity and certainty of penalty for specific violations can

make an important contribution to school discipline; codification also removes the arbitrary quality of discipline which has so often resulted in excessively frequent and harsh punishment for minority students.

RECOMMENDATIONS

1. The State Regents should appoint a commission to formulate a discipline code to serve as a model for the school systems of the state. Such a code should address disciplinary procedures and should include examples of disciplinary alternatives, sample materials for distribution to students and parents, and sample in-school suspension programs.
2. The State Department of Education should immediately print and distribute sufficient copies of the Guidelines for Student Rights and Responsibilities to reach all secondary students in the state.
3. School principals must inform students and parents, at the point of suspension, disciplinary transfer, voluntary or involuntary withdrawal, of their rights to due process review. Such notification should be written and verbal, and should specify the free legal or lay advocacy assistance available to the student.
4. School regulations should be reviewed regularly with the student government-body, and students should be encouraged to participate in planning groups of parents, faculty, and principals to make needed revisions and to develop new programs to reduce school discipline and truancy problems.
5. Immediate steps must be taken to insure that written codes of discipline, including due process steps and alternative forms of discipline are explained to students through one or both of the following: 1) introductory programs to new students, and/or 2) social studies curriculum on rights and responsibilities of citizenship.
6. Corporal punishment should be abolished in school districts throughout New York State. We urge:
   A. Local school boards to prohibit corporal punishment in their districts.
   B. The Regents and Commissioner of Education to promulgate regulations prohibiting corporal punishment in schools throughout the state.
   C. The State Legislature to revise the Penal Code Law 3510 to eliminate the exemption for teachers under the assault provisions while still permitting physical intervention for restraint.
7. Disciplinary transfers should be issued only by the superintendent upon the recommendation of a principal Such recommendation should be formulated only after principal-consultation with students and parents, after all other alternatives likely to be helpful have been tried, and when the placement offered will be equal to that from which the student is transferred. The student receiving a disciplinary transfer should have the right to request a fair hearing within ten days of notification from the superintendent of his decision to transfer; the student should not be transferred without parental permission prior to completion of that period. (We urge legislative action on this issue.)
8. The state Regents must take immediate steps to insure that all student teachers have courses in classroom management and discipline -- prior to graduation.

CHAPTER FOUR

SUSPENSION

99% of the principals we interviewed used suspension as a disciplinary technique. Furthermore, in some schools as many as 40% or more of the total secondary school population was suspended in the course of one academic year. Recognizing the importance of even temporary exclusion from school, we wished to learn if the principals' use of suspension was in accordance with the guidelines established by the state legislature and the courts: we found significant violations of the mandated procedures. In this chapter, we will examine the incidence of suspensions, the conformance of school districts with state and federal law on suspension, and the reactions of students and principals to suspension. We will end with an examination of in-house alternatives to out-of-school suspension.

INCIDENCE OF SUSPENSIONS

We used data from OCR 102 Forms to compute the percentage of total school population suspended from selected upstate-city secondary schools.* Our figures indicate that in many schools large percentages of the students are suspended. In the Buffalo City School District, for example, during 1975-76 as many as 62% of one school's population was suspended.

Clinton J.H.S.	43.4%
Fillmore Middle School	50.2%
LaFayette H.S.	62.0%

In Rochester, similar figures can be found:

Frederick Douglass J.H.S.	43.5%
Monroe J.S.H.S.	31.5%
Wilson J.H.S.	42.7%

And in Syracuse:

Blodgett J.H.S.	24.7%
Corcoran H.S.	20.3%
George Fowler H.S.	32.4%
Roosevelt J.H.S.	20.4%
T. Aaron Levy J.H.S.	24.2%

These figures give an indication of the number of students suspended in some urban schools. They do not, however, indicate the number of suspensions, since many students are suspended more than once. We know that, for example, of the 3,736 suspensions from Rochester secondary

*See Appendix L for complete analysis of the percentage of student population suspended for each school in the OCR sample.

schools during 1975-76, 612 (16.4%) were for students suspended more than once.* Furthermore, from our dropout sample, it appears that when drop-out-prone students are suspended, they are suspended more than once: only 24.4% were suspended just once; 28.2% were suspended two-to-three times, and 44.3% were suspended more than three times.

From the OCR forms, we were also able to determine the incidence of secondary school suspensions within districts. Table 16 indicates that 16 of the 53 districts responding suspended over 10% of their secondary school population; 9 districts, including Syracuse and Rochester, suspended over 15%; and two districts, Monroe-Woodbury and Amityville, suspended over 20%.

These figures indicate that large numbers of students are punished by exclusion from school. As we will demonstrate, data for selected New York State cities gives evidence that black and Spanish-surnamed-American students are more affected by the districts' reliance on suspension than are white students.

DIFFERENCES IN THE SUSPENSION RATES FOR MINORITY AND WHITE STUDENTS

In 1975, the Children's Defense Fund report School Suspensions, Are They Helping? indicated that nationally minority students were suspended at much higher rates than were white youngsters. Using data collected by OCR, the report concluded that black secondary students were suspended more than three times as often as white high school students: 12.8% compared with 4.1%. The Statewide Youth Advocacy Project examined the most recent data (1975-76) collected by OCR to see if these national trends were true for some of the districts we were studying (Buffalo, Rochester, Syracuse.)

Our findings replicate those of the Children's Defense Fund.** In three of New York State's largest school districts, the probability of suspension is far greater for blacks than it is for whites.*** In 21% of the schools discussed (from Buffalo, Rochester and Syracuse combined) there was no difference in suspension rates. However, in 36% of secondary schools, blacks had at least a four-times-greater chance of being suspended than did whites.

---

*The total secondary school population for that year was 16,500.

**Unfortunately, it is not possible to provide a complete picture of racial disparities in suspension for the Big Five Cities. New York City's compliance with OCR's request for data came too late for us to analyze the figures, and Yonkers was not included in OCR's sample.

***In Rochester, for example, in 1975-76 33.9% of black students and 30.35% of all minority students were suspended at least once. In the same year 14.35% of non-minority students were suspended.

TABLE 16

SUSPENSION DATA FROM OCR 101 AND 102 FORMS*

(Selected School Districts - Selected Years)

School District	101 District Data 1972-73		102 Secondary School Data 1975-76	
	No. Susp.	% Susp.	No. Susp.	% Susp.
Albany	296	3.0		
Albion	96	3.0		
Amherst			0	0
Amityville	491	12.0	511	21.7
Amsterdam	77	1.0		
Avon			80	11.1
Baldwin			83	2.0
Baldwinsville			251	8.0
Bay Shore	129	2.0		
Beacon	280	8.0		
Bellport	542	13.0		
Belmont			13	2.1
Brentwood	818	4.0		
Briarcliffe Manor			27	3.4
Bridgehampton			9	3.6
Brighton			123	4.4
Buffalo	1919	3.0	2747	12.8
Byron-Bergen			41	5.6
Cazenovia			126	10.8
Central Islip	748	10.0		
Clarkstown			276	4.1
Copiague	0	0	387	11.7
Cortland			74	7.5
Dunkirk	44	1.0		
East Aurora			49	2.5
East Hampton	17	1.0		
East Islip			274	9.5
East Ramapo	376	2.0		
Ellenville	41	2.0		
Fallsburgh	101	7.0		
Franklin			1	.2
Freeport	446	6.0	448	12.3
Germantown			15	1.6
Geneva	199	6.0		
Glen Cove	66	1.0		
Glens Falls			155	8.7
Gowanda	34	1.0	42	3.8
Greenburgh	99	3.0		
Greenport	40	5.0		
Greenville			23	2.8
Greenwich			72	10.1
Hamburg			183	6.1
Haverstraw	159	2.0		
Hempstead	746	14.0		
Highland Falls	22	1.0		
Hudson	150	4.0		
Huntington	121	2.0		
La Fayette	91	6.0	112	13.4
Lackawanna	212	4.0	194	8.2

* The 101 form requires the central office of a district to provide a composite number of suspensions for that district. The 102 forms, however, are completed by individual building principals within a district. The composite figure, represented here under the 102 column (1975-76), was compiled by the Statewide Youth Advocacy Project and is a total of the number of suspensions as reported by each principal in a given district.

TABLE 16 (Cont'd.)

SUSPENSION DATA FROM OCR 101 AND 102 FORMS (CONT'D.)
(Selected School Districts - Selected Years)

School District	101 District Data 1972-73		102 Secondary School Data 1975-76	
	No. Susp.	% Susp.	No. Susp.	% Susp.
Lake George			6	1.0
Lawrence			351	9.1
Long Beach	394	6.0		
Manhasset	112	4.0		
Mechanicville			43	3.4
Middle Island	171	3.0	221	7.6
Middletown	239	4.0	236	8.5
Monroe-Woodbury			705	25.0
Monticello	266	7.0	241	10.5
Morristown			32	4.7
Mount Morris			30	6.2
Mount Vernon	1343	12.0		
New Rochelle	661	6.0		
New York City*	19,504	1.7		
Newburgh	605	5.0		
Niagara Falls	403	2.0		
Niagara-Wheatfield	428	8.0		
North Babylon	455	5.0	224	4.9
Nyack	219	6.0		
Oceanside			252	4.9
Onteora			183	11.3
Ossining	662	13.0		
Peekskill	227	7.0		
Penn Yan			67	4.3
Port Chester-Rye	2	0		
Poughkeepsie	372	8.0		
Riverhead	193	4.0		
Rochester	3758	8.7	2839	17.8
Roosevelt			278	15.5
Salamanca	55	2.0	32	3.0
Seaford			178	15.5
Shoreham-Wading River			12	1.3
Sodus	84	3.0		
Southampton	114	6.0		
Star Point			279	19.2
Syosset			106	3.5
Syracuse	1610	6.0	1530	19.7
Tarrytown	116	4.0		
Three Village			172	3.6
Thousand Islands			23	3.4
Troy	286	4.0		
Tuchahoe	39	3.0		
Uniondale	392	6.0		
Utica	115	1.0	106	2.7
Warwick Valley	40	1.0		
Westbury	153	3.0		
Westhampton Beach	38	2.0		
West Irondequoit			79	2.8
White Plains	492	6.0		
Williamson	49	3.0		
Wyandanch	95	3.0	75	7.8
Yonkers	534	2.0		

* New York City reported 23,303 individual suspensions recorded for 1975-76 for the entire school population, or 2.16%

Table 17 contains a summary of our findings with respect to the Buffalo City School District. Seven schools were excluded from this analysis as they contained greater than 95% minority enrollment (black and SSA combined). However, of the thirteen remaining secondary schools, nine (or 69%) revealed disparities in the rate of black and white suspension. In fact, five of these, or 38% of the integrated schools in the Buffalo City School District, suspended black students at least four times more frequently than white. Only four Buffalo schools demonstrated no difference in suspension rates for blacks and whites. Suspension rates for SSA students, too, were higher than they were for whites.

In the Rochester City School District (Table 18) similar trends can be seen. 80% of the district's secondary schools suspended black students at least twice as frequently as white and two schools having significant numbers of SSA suspended them four times as often as whites. In the Syracuse City School District (Table 19) all of the schools supplying data suspended black students at least three times as frequently as white.

The Children's Defense Fund maintains that such racial disparities reflect:

> ... a pervasive school intolerance for children who are DIFFERENT ... and that the incidence of suspension is more a function of school policies and practicies than a student's behavior.[5]

A well-researched, federally-financed study of suspension in a Florida district concluded that in instances where subjective criteria, such as insubordination, were the basis for suspension, there were significant disparities between the number of suspensions given to blacks and the number given to whites.[6] Where the criteria were objective, such as truancy and possession of weapons, the disparities were minor. Interpretation of subjective criteria depends on the judgment and mind-set of the observing teacher or administrator. A recent study of disciplinary practices in New York City by the Office of Civil Rights,[7] compared disciplinary actions against the level of misbehavior and found that minority students were, indeed, more severley punished (and more often suspended) than whites for similar acts. This resulted in a finding of discrimination in disciplinary procedures.

We believe that the disproportionate suspension of minority students results from racial prejudice. It may also result from class-based prejudice. Socio-economic standing has been demonstrated to be a strong predictor of academic success. Since minority children are likely to be over-represented in the lower socio-economic groups, the children are also more likely to experience academic problems. If, as we argue, academic failure tends to breed disciplinary problems, the disparities in the incidence of suspension may be a reflection of the failure of our schools to educate minority children.

Some middle-class whites view black children as potentially dangerous and so react more negatively to their physical gestures or verbally-abusive

statements. This fear often leads to harsher judgments and more punitive measures against black students than against white students. Guidelines clearly outlining the criteria for suspension especially in cases where behavior is difficult to categorize would, we believe, go far to decreasing the disparities in the use of suspension.

THE LAW REGULATING SUSPENSION

The authority of New York State schools to discipline a student is governed by New York Education Law Section 3214, by various court cases, and by decisions of the Commissioner of Education.

Permissible only for specified infractions, a short-term suspension is any exclusion from required attendance upon instruction for FIVE days or less. This punishment may be imposed by the Board of Education, Board of Trustees, sole trustees, Superintendent or District Superintendent, or by the school principal, if expressly so authorized by the by-laws of the school district. A short-term suspension may not be imposed by a teacher, assistant principal, dean, or other staff member. Suspension for a period of longer than five days (long-term suspension) must be issued by

TABLE 17

RACIAL DISPARITIES IN SECONDARY SCHOOL SUSPENSION (BLACK AND SSA)

BUFFALO CITY SCHOOL DISTRICT*

		Per Cent Enrollment In School
During the 1975-76 school year, proportionately twice as many black students were suspended as whites in the following secondary school:		
		Black
Southside JHS	(4.6% white vs. 10.6% black)	9.6%
Black students were suspended three times as often as whites in:		
Burgard Vocational HS	(1.0% white vs. 3.4% black)	46.4%
Grover Cleveland HS	(5.9% white vs. 20.3% black)	27.6%
W. Hertel Middle School	(.3% white vs. 1.0% black)	30.6%
Black students were suspended at least four times as often as whites in:		
McKinley Vocational HS	(.4% white vs. 4.7% black)	19.4%
Bennett HS	(4.5% white vs. 21.0% black)	51.9%
Riverside HS	(.6% white vs. 7.1% black)	10.0%
Seneca Vocational HS	(.2% white vs. 2.1% black)	28.2%
South Park HS	(11.6% white vs. 52.9% black)	9.4%
SSA students were suspended twice as often as whites in:		
		SSA
Fillmore Middle School	(20.0% white vs. 40.0% SSA)	.7%
Kensington HS	(11.9% white vs. 25.0% SSA)	.5%
W. Hertel Middle School	(2.7% white vs. 6.3% SSA)	1.3%
SSA students were suspended four times as often as whites in:		
McKinley Vocational HS	(.4% white vs. 4.0% SSA)	2.2%
Burgard Vocational HS	(1.0% white vs. 4.2% SSA)	2.4%
No disparity in the rate of black and white suspensions was found in the following schools:		
		Black
Emerson Vocational HS		48.3%
Hutchinson Central Technical HS		28.0%
Kensington HS		52.2%
LaFayette HS		33.1%

The following schools were excluded from this analysis because they contain more than 95% minority enrollment (black and SSA):

Fillmore Middle School	98.6%
Woodlawn JHS	99.7%
Clinton JHS	100.0%
Fosdick Masten Vocational HS	98.3%
East HS	99.9%
St. Augustine Center	96.0%
Genesee Humboldt JHS	95.6%

*See Appendix H for minority enrollment figures in each school district.

TABLE 18

RACIAL DISPARITIES IN SECONDARY SCHOOL SUSPENSION (BLACK AND SSA)

ROCHESTER CITY SCHOOL DISTRICT

During the 1975-76 school year twice as many black students were suspended as whites in the following secondary schools:		Per Cent Enrollment In School
		Black
Jefferson J.S.H.S.	(12.8% white vs. 25.9% black)	19.4%
Monroe J.S.H.S.	(21.5% white vs. 42.0% black)	42.1%
School without Walls	(2.7% white vs. 5.7% black)	15.7%
Black students were suspended three times as often as whites in:		
Franklin H.S.	(7.0% white vs. 25.0% black)	49.4%
East J.S.H.S.	(4.8% white vs. 16.6% black)	26.5%
Black students were suspended at least four times as often as whites in:		
Douglass J.H.S.	(2.1% white vs. 60.4% black)	55.9%
Marshall J.S.H.S.	(4.9% white vs. 21.0% black)	11.6%
Madison H.S.	(1.3% white vs. 9.1% black)	89.6%
SSA students were suspended four times as often as whites in:		
		SSA
Edison Technical H.S.	(2.2% white vs. 12.8% SSA)	4.3%
Douglass J.H.S.	(2.1% white vs. 23.5% SSA)	12.9%
Operation Young Adult	(15.6% white vs. 80.0% SSA)	8.7%
No disparity in the rate of black and white suspension was found in the following schools:		
		Black
Wilson J.H.S.		86.2%
Neighborhood Street Academy		90.8%

The following schools were excluded from this analysis because data was not available:
Charlotte J.S.H.S.
World of Work

*See Appendix H for minority enrollment figures by school district.

TABLE 19

RACIAL DISPARITIES IN SECONDARY SCHOOL SUSPENSION (BLACK AND SSA)

SYRACUSE CITY SCHOOL DISTRICT*

		Per Cent Enrollment In School
During the 1975-76 school year, black students were suspended three times as often as whites in:		Black
Corcoran HS	(14.1% white vs. 40.7% black)	24.4%
Henninger HS	(9.5% white vs. 30.4% black)	17.9%
T. Aaron Levy JHS	(14.9% white vs. 40.7% black)	31.7%
Black students were suspended at least four times as often as whites in:		
George Fowler HS	(15.3% white vs. 67.3% black)	30.0%
Nottingham HS	(3.9% white vs. 15.4% black)	30.4%
SSA students were suspended four times as often as whites in:		SSA
Fowler HS	(15.3% white vs. 68.8% SSA)	1.4%
Nottingham HS	(3.9% white vs. 33.3% SSA)	.3%

The following schools were excluded from this analysis because data was not available:

Central Technical Occupational HS
Clary JHS
Eastwood JHS
Grant JHS
H. W. Smith JHS
James A. Shea JHS
Lincoln JHS

*See Appendix H for minority enrollment figures by school district.

the superintendent or Board of Education and requires a hearing with appropriate due process safeguards for the student.

Further interpretation of the rights of students comes from the Goss v. Lopez [5] Supreme Court decision which dealt directly with short-term suspension. The court ruled that suspension of even a single day deprived a student of his liberty and property interests under the Fourteenth Amendment, and, therefore, entitled the student to constitutional protections of due process.

Therefore, any student suspended for five days or less in New York State must be afforded at least:

1. Oral or written notice of the charges against him,
2. An explanation of the evidence the school has, and
3. An opportunity to present his side of the story.

Furthermore, the student must be informed of the charges and given the opportunity to rebut them before the suspension begins, except when a student's conduct presents a clear danger to himself or to others. Even in such a case, the notice and hearing must follow as soon as practicable. The student and his parents also must be given an opportunity for an informal post-suspension conference with the principal, at which time the parents may ask questions of the witnesses who made the complaint. Most school systems require that a parent be notified promptly of a suspension, usually by telephone, followed by written notice. During suspension, a student is entitled to alternative education. (Education Law Section 3214 (3)(e); Turner v. Kowalski [6]

GROUNDS FOR SUSPENSION

In rather vague terms, Education Law Section 3214 sets forth the legal grounds for which a student may be suspended from school. These are:

1. A pupil who is insubordinate or disorderly, or whose conduct otherwise endangers the safety, morals, health, and welfare of others.

2. A pupil whose physical or mental condition endangers the health, safety, or morals of himself, or of other pupils.

3. A pupil who ... is feebleminded to the extent that he cannot benefit from instruction.*

The vast majority of suspensions in New York State are based on the grounds stated in the first category; i.e., "insubordination" and "disorderliness." These words are subject to such wide-ranging differences in interpretation that they appear to be constitutionally deficient, although no court has ruled that way so far.

Many school districts have adopted by-laws, policy statements, or student codes further defining grounds for suspension. Generally included are items such as:

*Recent state and federal legislation dealing with the needs of handicapped students supercedes this provision.

1. Fighting
2. Possession of weapons
3. Assaults
4. Setting of false fire alarms
5. Arrests
6. Theft
7. Smoking
8. Truancy
9. Loitering
10. Insubordination; i.e., disobeying directions of a teacher, principal or other staff member.

Who Suspends For What - We asked the principals which offenses were grounds for suspension in their schools. Table 20 shows that 100% of the respondents suspended for fighting and 98% for possession of weapons. 95% of the principals also suspended for insubordination and extortion/theft. To a lesser degree, principals suspend for possession of drugs (80%), smoking (78%), class-cutting (55%), truancy (44%), and non-school-related arrests (3%).

Table 21 indicates the degree of variation within districts. In Rochester, for example, all secondary school principals suspend for possession of weapons and fighting. The principals are less consistent in their use of suspension for insubordination and theft (87%); smoking and possession of drugs (71%). There is, however, great intra-district variation in the use of suspension for truancy (47%) and class-cutting (50%). The Niagara Falls City School District is the only one which shows minimal variation among principals. They differed only in their treatment of the possession of drugs; 57% of the principals suspend the student, whereas the remaining 43% refer the child to a drug program. Inconsitency within districts can be a source of confusion and trouble for students moving from one school to another. If junior high or middle school practices are significantly different from those of senior high schools, as we found to be the case in one large urban district, students entering high school are likely to have more-than-normal adjustment difficulties.*

Our data, then, give evidence not only of routine use of suspension in cases involving physical danger, such as fighting and possession of weapons, but also of significant reliance on, and perhaps illegal use of, suspension for offenses which do not involve physical danger. Truancy and selective attendance, insubordination (often not more than disobedience), and smoking were all punished by exclusion from school.

*See p. 62 for our previous discussion on the need for codes.

TABLE 20

% OF PRINCIPALS IN OUR SAMPLE SUSPENDING FOR VARIOUS OFFENSES. INDICATION ALSO GIVEN AS TO THE CONDITIONS UNDER WHICH SUSPENSIONS ARE METED OUT:

(AUTOMATIC, HABITUAL OFFENSE, RARELY, UNQUALIFIED)

Reason	% Total Responding Yes	* % Yes	% Rarely	% If Habitual	% Automatic
Truancy	44	23	7	13	0
Cutting Class	55	32	8	15	0
Insubordination	95	65	4	15	10
Extortion/Theft	95	79	0	1	14
Smoking	78	40	6	17	13
Drugs	80	48	0	0	32
Fighting	100	54	1	3	42
Weapons	98	40	0	0	45

*Yes answer not qualified by respondent

TABLE 21

PER CENT OF SECONDARY SCHOOL PRINCIPALS SUSPENDING FOR VARIOUS OFFENSES

% of Secondary Principals Responding	Districts	Truancy	Cutting Class	Insubordination	Theft or Extortion	Smoking	Drugs	Fighting	Weapons
100	Rochester	47	50	87	87	71	71	100	100
100	Syracuse	29	71	86	100	86	100	100	100
67	Buffalo	14	50	100	100	64	79	100	100
40	Albany	0	0	100	100	50	100	100	100
67	Schenectady	50	0	75	100	75	100	100	100
92	Yonkers	18	18	100	91	73	73	100	91
100	Corning	80	60	80	60	100	100	100	100
100	Niagara Falls	100	100	100	100	100	57	100	100
100	Hempstead	50	50	100	100	50	50	100	100
*	Scattered Nassau	64	64	100	100	100	82	100	100
100	White Plains	50	50	83	83	50	80	100	83

* We spoke with all secondary principals in Oceanside, Rockville Centre, Syosset and Uniondale. In Sewanhaka, we reached 1 of the 6 principals.

SUSPENSION FOR NON-DANGEROUS OFFENSES

1. Truancy and Selective Attendance - Although 44% of the principals said that truancy was grounds for suspension, we believe that suspension for truancy is neither legal nor useful. There is a serious legal question as to whether truancy falls within any of the categories of Section 3214 justifying suspension. It is not insubordination as that word is normally defined. Nor is it disorderly conduct, because the school's right to control conduct or to "give orders" applies only once the child is physically in school. Nor is it behavior which endangers the safety, morals, health, or welfare of others since it really damages only the truant himself. Nor is it normally the result of a physical or mental condition or feeblemindedness, as those terms are legally defined. We maintain, therefore, that suspension for truancy is unauthorized under New York State law. Education Law Section 3214 permits a school to classify a minor who is "an habitual truant from... instruction or is irregular in attendance" as a school delinquent and to establish day schools for instruction of such delinquents with compulsory hours of attendance at least equal to the regular school program. However, this is a procedure completely separate from that of suspension. In addition, it should be noted that habitual truancy is grounds for a PINS petition in Family Court. (Family Court Act 711 et seq.)

Furthermore, whether or not suspension for truancy is legal, it is of dubious logic or value. In effect, students are barred from classes because they refuse to go to classes. The crime and the punishment are virtually one and the same. Schools often justify the suspension by insisting that it is the best way to alert parents to the seriousness of the problem. However, there are many measures short of suspension which could be used to bring the problem to the attention of parents, and if the real difficulty is the attitude of the parents, punishment of the child makes little sense. (The problem of the selective attender will be covered in the Chapter Five.)

2. Insubordination - Usually defined as failure to comply with a reasonable request, insubordination provides a catch-all for a variety of offenses. The definition of "reasonable request" varies with the definer, as evidenced by the following examples gathered from the principals' responses to a request for an example of insubordination:

A. In Buffalo, a truant student is told to attend school. If he does not comply with this "reasonable request," he is then suspended for insubordintion.

B. In Niagara Falls, some principals consider a student to be insubordinate if he "does not do what I tell him."

C. In Corning, a student may be suspended for insubordination if he refuses to dress for gym, refuses to do work in class or to do homework, or simply says "I won't do it."

The first of these instances poses a somewhat more complex issue than do the others. Although the Commissioner of Education has recently upheld

this grounds for suspension, it is in realty a suspension for truancy, not for insubordination, and should be so considered. The other instances we consider to be examples of disobedience, not of its more serious relation - insubordination - which we would prefer to define as defiant and persistent flouting of legitimate authority.

Nonetheless, it would be naive to deny that insubordination can be a serious problem in schools. To give only one instance: administrators maintain that students who refuse to identify themselves on school grounds are guilty of insubordination. There is a justification for this in that teenagers loitering in schools which they do not attend are often the source of fights, vandalism, and general disorderliness. For this reason, it makes sense for administrators to wish to have the right to require students to identify themselves. When it is accepted practice within a district to require students to so identify themselves, then we consider a refusal to do so to be a deliberate flouting of authority; i.e., insubordination. However, it may be that some instances of "insubordination" result from ill-trained teachers ill-equipped to respond to classroom problems. Teachers who feel defensive and helpless in the face of student defiance may often be the same teachers who most frequently refer to students as "insubordinate" and recommend suspensions to administrators. Although insubordinate students may need to be temporarily removed from a particular situation, we fail to see how exclusion from school addresses itself to the problem.

3. Smoking - 78% of the principals said that they suspend for smoking. Although there have been no official rulings on discipline for students who smoke tobacco on school grounds, the Commissioner has stated that:

> It is inconsistent, we believe, to prohibit student smoking on school grounds, and yet permit others to smoke in faculty rooms on the same school grounds.[7]

Our data gives encouraging evidence of some principals' reluctance to suspend for smoking. Of the 71 principals who suspend for smoking, 32% (23) said that they did it only rarely or when the student habitually defied the school regulations. We were disturbed, however, by the 17% (12) who said suspension was automatic in cases of smoking. (Table 20)

PROCEDURAL COMPLIANCE AND VIOLATION IN SHORT-TERM SUSPENSIONS

Sally was sixteen when she left high school. Suspended by the dean for allegedly swearing at her teacher, Sally withdrew from school when the dean told her she could not return to school until she had apologized to the teacher. Sally had had few discipline problems before that incident; her academic work was acceptable and there was every reason to believe that she would be able to complete the requirements for graduation. Nonetheless, with a stubbornness not uncommon in teen-agers, Sally persisted in her refusal to make the apology, choosing instead to leave school. Shortly

thereafter, when Sally tried to re-enroll in high school, she was told that she would have to prove herself, would have to demonstrate her worthiness to re-enter day school by attending the district's evening school for a semester. Advocate-intervention secured her readmission to day school after legal action was initiated.

Big Five City
White
Female

There is, indeed, something almost laughable in the picture the incident conjures up, the picture of an over-worked administrator boxing himself into a corner from which he cannot escape: "You must say you're sorry before you can come back." Teen-age head uplifted in defiance, "No, I won't." Perplexed dean wondering what on earth to do next. And then saved by the intransigence of newly-realized teen-age independence. "I don't have to do it! I'm over sixteen; I'll leave school." Administrative relief -- problem solved!

Except that it is not laughable because two months of advocacy effort, culminating in litigation, were required to achieve Sally's readmission to school. Had the dean followed the laws relating to suspension, he never would have found himself in such a bind. Unfortunately, neither the dean's disregard for the law (by his illegal assumption of the right to suspend), nor the bankruptcy of his attempt to enforce discipline, nor the failure of Sally's own efforts to gain readmission to school, are unusual.* In fact, they are the norm.

The Power to Suspend - Education Law 3214 explicitly states that, at the school level, only the building principal may suspend a student for five days or less. He or she may not delegate this power! Nonetheless, 43% of our respondents indicated that they did not follow this practice. That is, 29% indicated that suspensions were typically handled by the assistant principal under the principal's name, and 14% said that either the assistant principal or the dean handled suspensions. It seems fairly evident that the larger the number of persons permitted to suspend the greater will be the number of suspensions. We would not be surprised to see substantial decreases in school suspension figures were the schools to adhere to the provisions of Section 3214.

The law requires schools to give parents immediate notification of suspension and to hold informal post-suspension conferences if the parents request them. Our data give evidence of complete compliance with these regulations. Education Law Section 3214 also entitles the parent to the right to question witnesses at these conferences. We asked principals if they would permit a school counselor or a lay advocate to accompany students and their parents to a conference, and if the students could request their own witnesses. 80% of the respondents indicated that any or all of the above were welcome; 6% said that witnesses of the student's own choice were not to be allowed; 5% denied admittance to a lawyer or lay advocate; and 6% indicated

*See Chapter Six for a discussion of the problems of the over-16-year old.

that only the school counselor would be welcomed.

Section 3214e of the State Education Law mandates that suspended students receive instruction:

> ... where a pupil has been suspended as insubordinate or disorderly and said pupil is of compulsory attendance age, immediate steps shall be taken for his attendance upon instruction elsewhere or for supervision and detention of said pupil pursuant to Article Seven of the Family Court Act.

In the decision of Turner v. Kowalski, the Second Department of the New York Appellate Division upheld a lower court ruling that any student suspended for more than one day was entitled to alternative education. Although this decision, based on the wording of Section 3214e, is technically binding on only those districts within the jurisdiction of the Second Department, the decision is still significant in that it is an appellate court ruling that a state statute requires that students suspended on either a short- or long-term basis be immediately provided with alternative education. 70% of the principals indicated that they did not provide alternative education on short-term suspensions, whereas 27% indicated that they did. The districts which did provide such an alternative were under the jurisdiction of the Turner v. Kowalski decision.

The data indicate that the districts in our sample do comply with Education Law Section 3214 by informing parents and students of the reason for suspension and by granting informal conferences. However, we found that large numbers of principals routinely violated the law by delegating the authority to suspend. Additionally, students in most districts still are not provided with alternative education during short-term suspensions.

Our interview data give further evidence of occasional severe violations of suspension procedures. A few principals said that they sometimes by-passed the mandated procedures and simply sent students home for "rest periods" or "cooling-off periods" of up to a month. Such evidence of non-compliance with Section 3214 was particularly clear in some of our interviews with principals in the city of Buffalo. This may account for the relatively low rate of recorded suspensions in that city. Advocate experience indicates that these illegal suspensions happen more frequently than our data show -- particularly, the advocates say, when the "suspension" is initiated by personnel not authorized to suspend.

LONG-TERM SUSPENSION

The Law - A suspension lasting for more than five days, a "long-term suspension," may be imposed only by the superintendent. Students to be excluded from regular instruction for more than five days must be provided with an opportunity for a full hearing by the fifth day of the suspension or must be readmitted to school. The hearing itself is a quasi-judicial

procedure: the students have the right to reasonable notice, to third-party representation, and to an impartial hearing officer; they may present their evidence, and cross-examine and call witnesses; students are also entitled to a record of the proceedings and to a specific decision; they have the right to appeal that decision to the Board of Education.

Under state law, long-term suspension may be for an indefinite period of time; suspensions of as long as three years have been issued. The state law sets no limit on the age of the child being suspended, and makes no distinction between grounds for short-term and long-term suspensions. Thus, under the present law, a student may be long-term suspended for a simple act of insubordination.

The long-term suspension process begins with a recommendation initiated by the school principal, who notifies the superintendent of this recommendation, usually at the same time that the disruptive student is given a short-term suspension. The hearing is supposed to be held at the end of that five-day period. The disposition of the hearing usually takes one of three forms:

1. Transfer of the student to another accredited program. A transfer following a hearing is not considered to be a long-term suspension. Many districts routinely recommend a long-term suspension, conduct a hearing, and then transfer the student to another school as the disposition. The district then records the proceeding as a long-term suspension recommendation and not as an actual long-term suspension.

2. Temporary long-term suspension, coupled with the provision of adequate alternative education. Section 3214e, which requires alternative education for all students under the compulsory attendance age who are suspended as disorderly or insubordinate, has a significant modifying effect on the severity of long-term suspensions for students under 16 years of age. As a practical matter, that provision has resulted in long-term suspension hearing dispositions of home tutoring, or transfer to alternative schools, or referral to the Committee for the Handicapped for assessment and placement.

3. Suspension of the student for an indefinite period of time. Students over 16 are often suspended without alternative education. Even though the New York State Legislature has not specifically given districts the right to expel students, when the disposition of a long-term hearing is that the student is to be excluded from all instruction for an indefinite period of time, the suspension is functionally an expulsion.

The provisions of Section 3214 exempting the districts from the need to provide alternative education for students over 16 are superceded, in some cases, by P.L. 92-142 requiring that all handicapped students between the ages of 16 and 21 be offered appropriate education.*

*A recent Connecticut decision recognized the interplay between discipline and suspension, and held that in long-term suspension cases involving handicapped children, the Committee for the Handicapped procedures took precedence over the state' long-term suspension procedures.

Compliance with the Law - We interviewed ten superintendents and/or their designates in order to determine:

1. If the district used long-term suspensions.

2. In what form a student and his parents were notified of the recommendation for long-term suspension, the date of the hearing, and of their right to bring a lawyer,

3. Why hearings were frequently not held by the fifth day of suspension, and

4. What the position of the impartial hearing officer was within the district.

5. We turned also to advocates' experience to determine the effect of long-term suspension proceedings on the academic standing of students. In the following discussion, we will discuss our findings on each of these issues.

1. Use of Long-Term Suspension Procedures - Two districts in our sample (Hempstead and Rockville Centre) indicated that they did not recommend students for long-term suspension and, therefore, did not answer our procedural questions. We were quite surprised to learn that Hempstead did not make such recommendations, as it was reported to have serious problems with in-school violence. If these reports are true, it is difficult to understand why the district does not use the available measures to assure the physical safety of its students. Perhaps the district employs other means, such as Committee for the Handicapped reviews, to remove highly disruptive students from the regular high school.

The Rochester City School District makes recommendations for long-term suspensions and holds the required hearings. However, because the district has alternative educational settings designed to house serious disrupters, transfer - rather than long-term suspension - is the routine disposition. For this reason only, no student has been legally excluded from instruction during the past four years.*

The Syracuse City School District typically does not long-term suspend any student under the age of 16. However, a flagrantly disruptive student who is over the compulsory education age will be given a long-term suspension for the remainder of the academic year. Since such students almost never return, the district has in effect expelled them.

The Buffalo, Syosset, Corning, White Plains, Uniondale and Niagara Falls city school districts do use long term suspensions. However, we do not have data indicating with what frequency this tool is used. The long-term suspension records that we possess on the larger districts (Rochester, Syracuse, and Buffalo) indicate that typically no more than 100 recommendations are made annually. The reasons for such recommendations include (in descending order of frequency): 1) assault on students or staff, 2)

*However, it is our belief that acknowledged district policy of transfering disruptive over-16-year olds to East Evening School makes moot the issue of long-term suspension proceedings for this population.

possession of weapons, 3) insubordination, 4) vandalism, 5) false fire alarms, 6) truancy, and 7) extortion, trespassing, smoking, etc.

2. Notification - The law requires that a student and his parents be: 1) notified that a recommendation for long-term suspension has been made, 2) told the reason for that recommendation, 3) given the date of the hearing, and 4) informed of their right to bring a lawyer or lay advocate on their own behalf. All of the districts in our sample notified the student's family of the recommendation for long-term suspension, either by registered letter, summons, or courier. Stating both the reason for suspension and the date of the hearing, the typical suspension letter advises the students of their right to counsel.* Not only is it appropriate that parents be informed in writing of their right to legal representation, but also it would be useful if districts would include the names of youth advocacy groups or of agencies providing free legal assistance in the area. Many parents do not realize that such help is available and do not seek counsel, thinking its cost prohibitive.

3. The Hearing - The superintendents interviewed indicated that long-term suspension hearings were scheduled by the fifth day of the suspension.** However, the hearings often were not held at the appointed time: sometimes parents called requesting rescheduling, or students appeared at the hearings unaccompanied by parents or guardians. In either case, districts typically postpone hearings. Should parents or guardians refuse to attend, some districts may recommend that the students seek counsel or an advocate to accompany them to the next scheduled hearing (Rochester City School District). Since any suspension beyond five days is a long-term suspension, delay of a hearing, in effect, results in long-term suspension without due process.

A tacit assumption made in the previous discussion was that all students suspended for more than five days actually have hearings, or at least know that they are entitled to them. Our interviews with dropouts, however, do not bear out these assumptions. 15.4% of the students in our sample were suspended for more than five days and were, therefore, entitled to a hearing. However, less than one-third of these had a hearing. These figures are only suggestive; we do not really know how many students are excluded from school for more than five days without a hearing.

4. The Hearing Officer - Education Law 3214 indicates that hearing officers should be impartial. In Syracuse, White Plains, Corning, Syosset, and Uniondale, the superintendent or his assistant acts as the hearing officer. In Buffalo, the position is held by the Director of Pupil Personnel; in Niagara Falls, by the Director of Attendance; and in Rochester, by

*The Syracuse letter includes a statement that legal representation is unnecessary if the student pleads guilty.

**However, in a recent federal court case in Buffalo, school district officials for that city admitted that almost none of the long-term suspension hearings were actually held by the 5th day and, in fact, almost none are even scheduled by that time.

the Administrative Director of Open Enrollment. We doubt if they can be impartial when they hold such significant positions in the school system.

5. Academic Problems - When the hearing is postponed, the student's re-entry into school is also delayed, aggravating existing academic difficulties. Delays happen because students or their parents are unable to come on the scheduled day and re-scheduling inevitably takes time.* Weeks may pass before the hearing takes place. The law does require, however, that during this pre-hearing period, the student be provided with some form of alternative education. However, as many advocate case studies indicate, the tutoring that is received does not necessarily coincide with the course work for which the student will be responsible when he returns to school. Required for that kind of synchronization of effort are cooperation and communication between the suspending school and the tutor. Additionally, some districts make alternative educational arrangements only when pressured to do so by outside advocates or caseworkers. Smaller districts often lack a regular tutor, causing a delay in the arrangements for out-of-class instruction. Thus, when the students are finally readmitted to school, their academic problems are frequently far more severe than they had been before the long-term suspension recommendation.

Academic problems are aggravated also when suspension hearings result in transfer of students to other schools. When moved from one educational setting to another, students are likely to be held responsible for different curricular material. Since most troublesome students are also poor students, they find it very difficult to adapt to new academic demands; therefore, a side effect of being recommended for long-term suspension may be academic failure, resulting in loss of credit for an entire year's work in one or more subjects. The likelihood of this result is increased by the refusal of many school districts to allow long-term suspended students to take examinations. Thus, a student suspended toward the end of the academic year often loses a full year of credit.

Although we recognize that there are rare occasions when highly disruptive students must be removed from their regular academic setting for a period beyond five days, the students' educational process must continue in accordance with Section 3214e and they must be afforded the opportunity to complete course work initiated prior to the suspension. Unless appropriate assistance is provided to these students to assist in the transition, their academic difficulties may be aggravated and the probability of their dropping out increased. Although the school system may be pleased with this turn of events (after all, what school likes troublemakers), we hope that we have indicated in previous discussions that society cannot afford the costs generated by uneducated teen-agers.

*The multiple responsibilities of hearing officers, and of teachers or administrators called as complaining witnesses, will surely make re-scheduling difficult.

PRINCIPALS' DEFENSE OF SUSPENSION

Implicit in our discussion of suspension has been our objection to what we perceive as excessive use of exclusionary procedures. Principals, however, while agreeing that suspension is a serious punishment, defend their use of the technique. They argue that suspension serves to protect students from violence or the threat of violence. In most districts, fighting students are automatically sent home to "cool off." Students with weapons are sent home as punishment for having brought the dangerous items into the school. Even in such seemingly clear-cut instances, we question the automatic use of suspension as punishment. Although fighting youngsters need to be seperated from others and, in cases of serious fights, to be sent home from school for the day, further exclusion from school may well serve to increase the student's hostility, the generalized anger that led to the fighting. Nonethless, we do recognize that serious fights are often legitimate grounds for short - term suspension.

The use of suspension as a device to involve parents was defended and advocated by a large majority of the principals with whom we spoke. Maintaining that school and parents must work together (certainly a laudable goal), principals often tell youngsters that they are not to return until they bring their parents with them. A short-term suspension may be needlessly prolonged by the practice of waiting until the student can bring in the parent.

Many principals recognize the difficulties parents may face in getting time to come to school with their children. We asked principals if they would accept a phone conversation in lieu of a conference: we learned that most principals not only recognize that parents have problems getting to school, but also are willing to adjust their requirements to accommodate the parents' needs. We asked principals if the length of a short-term suspension would be abbreviated if the parents came to school immediately. 26% of the principals said that they "would not shorten the duration of the suspension." If suspension is seen primarily as a tool to promote cooperation between home and school, refusal to ever shorten the term of school exclusion seems to us to be unjustifiable and self-defeating. This seems to be an instance in which the momentum of the disciplinary technique obscures the reason for which it is used.

In order to understand the principals' attitudes toward suspension, we asked for their thoughts on using suspension in emergency situations only:

- 11% - said that it all depended on the definition of insubordination
- 33% - said that this would unnecessarily restrict their actions
- 28% - agreed that it would be a good idea
- 27% - said that they suspended only in cases they considered to be emergencies

We wonder why the 28% who agreed that it would be a good idea do not implement their beliefs. Perhaps reliance on suspension becomes an unfortunate habit. As one principal said in answer to the question:

> *I would like to ... (use suspension only in emergencies). I do not see how it is possible. I must use suspension to build cases against the students.*
>
> *Downstate Principal*

We turn now to the students, whose combined feelings and attitudes are perhaps best voiced by Rose, who left school at the end of the 10th grade:

> *I was getting into a lot of trouble. It was my fault, but no one was concerned about it. You'd get suspended and they'd point you out as being bad ... I don't understand the purpose for suspension.*
>
> *Hempstead*
> *Black*
> *Female*

STUDENT REACTION TO SUSPENSION

75% of our dropout sample had been suspended. We asked a small subset of them (78):

1. How they felt about being suspended,
2. How had suspension made them feel about themselves and school, and
3. Could the school have done something else besides suspending them.

In answer to the first question, 44% indicated that suspension had no effect, while 35% expressed concern.

It didn't bother me. It seemed to be what everybody was doing. You try to hang out with the crowd.

Hempstead

No particular feeling, but I thought school wasn't for me.

Yonkers

I felt kind of down.

Syracuse

From the second question, we learned that many youngsters (45%) were quite bitter and felt that they had been suspended unjustly:

I was glad they suspended me. They were doing me a favor.

Buffalo

School officials were foolish. It seemed pointless to get put out of school - it just gave me more reason to not be there.

Syracuse

I hated it! I hated the school for not making it work for me.

Syracuse

When asked if suspension was the appropriate way to handle the problem, students gave varied responses. However, only 10% thought that they had been appropriately punished.

There was nothing else to do besides suspending, because it was a fight.

Buffalo

I think it's dumb to suspend people for skipping. It was right for fighting.

Buffalo

At times it was right (fighting) because it gives you time to cool off.

Syracuse

However, most students (76%) felt that suspension was not the appropriate response to their problem:

The school officials could have listened to the students and not always demand what they want.

Syracuse

The principal should have taken more of an interest in me. They say they don't have the time to do it.

Corning

They could have cared a little more.

Corning

Although some students do not understand that their misbehavior is often the expression of underlying problems, many do recognize this. These students expect, or hope, that school personnel will have the maturity and wisdom to understand what youths cannot express in direct verbal terms and to demonstrate that understanding by delving below the surface of the behavior to reach the real issues. Unfortunately, seldom do school personnel listen closely enough to hear what the students often cover with bombast. Meaningful intervention programs should be designed to provide the time and place for someone who cares -- who knows how to help -- to listen for the reality behind the behavior. Ombudsmen, cooling-off rooms, and in-house suspension programs can all provide good listeners.

ALTERNATIVES TO SUSPENSION

Throughout this report, we have argued that a close relationship exists between educational placement, school failure, school disruption, and dropping out. Our line of reasoning has been that inadequate placement results in academic failure, which in turn engenders negative attitudes toward school, its rules, and its staff. As failing children progress through school, they increasingly seek relief by a variety of non-sanctioned, non-conforming behaviors which often single them out for special attention.

Today's large secondary schools are sadly unable to respond to the academic and emotional needs of individuals. When these needs become problems, manifest in the form of disruption, most schools have a limited repertoire of responses -- when a visit to an administrator does not resolve the immediate conflict, the disrupter is suspended.

Increasingly, school personnel have found that their most potent form of punishment (suspension) has its own disadvantages. Among these are that: 1) The student may view suspension not as a punishment, but as an extra vacation. 2) Suspension does not resolve the underlying problems and often tends to make the students more hostile. 3) Suspended students fall further behind academically. 4) Each day lost by suspension may reduce average daily attendance rates and, with that, state aid which uses ADA as a base, and finally, 5) state law clearly requires schools to provide alternative education to suspended students under 16. This can be expensive if a district must pay for home tutoring.

It is not surprising, therefore, to note the growing interest in the use of in-school alternatives to suspension. However, because these programs are so new, they have not yet been regulated by state guidelines and take a

variety of forms -- some useful, others destructive. The goal of all in-house suspension programs is to temporarily remove students from their regularly assigned instruction while still keeping them in school.

We sought to learn whether the principals in our sample presently practiced any in-school alternatives to suspension. Their answers clearly indicate that there is little consensus as to what constitutes a useful in-school alternative. Answers included: Yes, we have a detention room, isolation room, abbreviated day program, probation, contracting, administrative supervision, intensified learning room, point system, cross-teaming, or after-school-hour classes. Although some of these categories do constitute viable alternatives to suspension, others do not. For example, an isolation room is clearly not a defensible alternative. We have heard of instances in which a student was shut in a darkened room for periods of half a day or more. Such archaic practices are certainly not desirable.

Although in-school alternatives to suspension may have various labels (i.e., intensified learning room, after-school-hour class, adjustment class), good programs share certain basic practices and attitudes.[8]

1. When in-house suspension means removal from regular class assignment (as it almost always does), the school must follow the provisions of Section 3214 regarding short- and long-term suspensions: only the principal should be authorized to make the assignment; no assignment should be over five days without a hearing, and parents should be informed and given the opportunity for a conference.

2. An in-school alternative to suspension is a special classroom to which severely disruptive students may be assigned for a few days or less, and where they receive assistance with academic and/or personal problems. The teacher or supervisor is highly skilled and can relate well to youngsters of different cultural orientations.

3. An in-school alternative to suspension is <u>not</u> supposed to provide a mechanism through which problem children may be removed permanently or easily from regular classroom instruction. An in-school suspension program is not to be used with all disruptive students. The classroom teachers must continue to exercise classroom control and manage all behavioral problems within their ability. All teachers must understand the philosophy underlying an in-school alternative to suspension program. <u>It is not a holding tank but a program aimed at solving the problems which trigger a student's disruptive behavior.</u>

4. Essential to the success of such a program is the recognition that it is not always the student who is the problem, but sometimes the particular teacher, rule, or non-school-related event.

> The school system would not always deal with the student as though he/she was the problem, as is now so often the case, but would work with the student in identifying what the problem is and then work with him/her and others to solve it.[9]

After the student is released from in-house suspension, steps must be taken to assure that changes are effected to alter the conditions which fostered the disruptive behavior. A student might change teachers, receive tutoring and/or counseling, participate in an alternative curriculum program, or change academic programs.

5. A good program will contain corrective measures.* Clearly, in-house alternatives may have aspects which students will find unpleasant--the program, though designed to help, is not a reward! For instance, although students must be allowed to eat lunch, they may be denied the opportunity to socialize in the cafeteria.

A Word of Caution - Each week brings news of the implementation of new in-school suspension programs throughout the state. While we view this growth as a positive step in school discipline, we have two major concerns: due process protection and quality control.

1. Due Process - While the provisions of Section 3214 apply to all suspensions from regular classes, the section makes no specific statements of its applicability to in-house suspension. Nor has the Commissioner of Education issued guidelines or regulations for such programs.

A teacher in a junior high spoke to us recently of his dismay when a student he reported for insubordination was held in the "in-school suspension room" for 20 days. The principal refused to return her to her class before a parental conference -- and the parents did not appear. The effect? Long-term suspension without a hearing for a minor act of insubordination.

While we have no hard evidence of a trend, we are increasingly concerned about the tendency of school districts to apply different and reduced standards of due process protection and of limitations on duration of in-house suspensions.

2. Quality - Small districts develop alternatives to suspension programs for a variety of reasons -- only one of which is to help "disturbing" students. They lack assistance in planning the programs and funding to underwrite the costs of caring staff. We see evidence that many, therefore, are simple detention programs which offer little or no constructive help to disrupting students. One New York school district's suspension room consisted of a basement closet, minus light and heat, for isolation of disruptive students. (We are told that faculty threats to report this to the Civil Liberties Union brought an end to the "program.")

It is, therefore, important that local districts receive technical assistance from the New York State Department of Education on the development of good alternatives to suspension. Additionally, many school districts would develop strong alternatives to suspension if they were able to obtain some financial support.

The State Department of Education allocates $60,000 of its $11.3 million

*See Appendix M for description of an excellent program from the Albion School District.

ESEA Title IV C funds for grants to local districts for "Positive Alternatives to Suspension." In 1977, over 25 school districts applied for funds in this category. Only two were funded. The allocation of ESEA Title IV C is basically a discretionary decision of the Commissioner of Education. Good incentive grants could encourage the development of quality programs which help students in trouble, rather than merely punish them.

It would be pleasing to report, at some future date, that 99% of principals sometimes punish students who disrupt classes, or fight, or are insubordinate, by assigning them to useful in-school suspension programs. We must report that now, all too frequently, administrators attempt to encourage school attendance and to improve school behavior by excluding the offending students from school!

RECOMMENDATIONS

1. The Commissioner of Education should enforce the provisions of Section 3214 mandating that suspension be instituted by the principal or his superior, and stating that delegation of the power to suspend is not permitted.
2. Alternative education must be provided to all students excluded from school on short or long-term suspensions, in accordance with Section 3214e. Suspended students shall be permitted to take all exams and complete all course work during the suspension period.
3. School districts should adopt policies providing for in-school suspensions for all acts of disruption, except those major acts which cannot be contained in the school building without disruption of the school. We believe the following to be minor acts of disruption which should not result in send-home suspensions:

Truancy and excessive tardiness	Profanity, or verbal threats
Insubordination	Minor fights
Smoking, unless prohibited for both faculty and students	Possession of alcohol
Disrespectful behavior	Minor theft and vandalism

We believe the following to be acts which may warrant short-term suspension from school:

Distribution or sale of drugs and alcohol within the school	Serious fights
Extortion, theft, serious vandalism	Assault
	Drunkenness

4. Long-term suspension should be limited to those students who are clearly not handicapped, and to children over ten years of age.
   Long-term suspensions should be recommended when the student has engaged in persistent misconduct of a serious nature over a substantial period of time in violation of specific published standards of student conduct, or when all regular classroom and counseling alternatives within the school have been explored, or when the student's continued presence in the classroom presents a clear and continuing danger of physical harm or substantial disruption of the education process.
5. To insure an impartial suspension hearing, we recommend that the hearing officer be neither an employee nor a resident of the district.
6. The Commissioner of Education must develop regulatory guidelines to assure that the protections guaranteed in Section 3214 apply to students receiving either in-school or out-of-school suspensions.
7. The state should significantly increase its authorization of state ESEA Title IV C funds for alternatives to suspension to assure that in-school suspension programs do not become holding pens, or worse, and that there be funds for the provision of counseling services. (In 1977, a mere $60,000 was allocated to this program.)

CHAPTER FIVE

TRUANCY

Truancy is not merely a school problem; it is a community problem. New York City figures reveal that 63% of juvenile crimes are committed during school hours: the incidence of such crime decreases not only during the after-school hours, but also during the out-of-school months.[1] Hostile students reacting aggressively to a society whose schools are not helping them to become useful adults may be one reason for the increasing juvenile crime rates.* Truancy is a community problem because most dropouts were truant before they were able to officially withdraw, or were asked to withdraw, from school. Truancy is a community problem because most juvenile delinquents have been brought to the attention of the school and the courts through truancy. A recent Rochester editorial stated:

> Unchecked, school truancy is often the starting point for delinquency. Indeed, in one recent year every major young adult crime in the city was committed by youngsters who had at one time been known as truants to the City School District.[2]

Truancy is an early warning sign of oncoming trouble.

Truants also signal the existence of school problems. Just as suspension and dropout figures reflect the trouble in our schools, so do attendance rates.

> If schools cared about effectively teaching all their students, truancy would be seen as an act which triggered investigation into why a child was not interested in and benefitting from his present education.[3]

Declining big city Average Daily Attendance (ADA) rates tell the story -- the story of youngsters whose periodic truancy is first the symptom and later the cause of academic weakness.

Absentee figures and ADA rates show the percentage of children enrolled at the beginning of the school year who actually attend daily in the four best attendance periods. If there are 1,000 students enrolled in September and 950 of them attend school on a given day, the ADA for that day is 95% and the absentee rate is 5%. To get the figures for a period of more than one day, the total number of actual school attendees for the days in question is divided by the total possible attendees for those days. Only when there was perfect attendance would the figure for ADA be 100%. Table 22 illustrates some selected New York State absentee rates.

Review of these and other figures and conversations with attendance department personnel indicate to us that an absentee rate based on excusable absences, primarily for illness, would run somewhere between 6% and 8%. Any fluctuation above the 8% absence rate is due basically to truancy,

*Another reason, of course, is the increased number of juveniles.

TABLE 22
ABSENCE RATES ACROSS STATE
(Per cent of Enrollment)

	State		Upstate		N.Y.C.	
	ADA	Absent	ADA	Absent	ADA	Absent
1975-76	89.0	11.9	92.6	7.4	81.7	18.3
1970-71	90.1	9.9	93.8	6.2	82.5	17.5
1960-61	92.8	7.2	94.1	5.9	90.6	9.4
1950-51	89.2	10.8	91.4	8.6	86.5	13.5

Key: ADA = average daily attendance

TABLE 23
NEW YORK STATE
AVERAGE DAILY ATTENDANCE
1975-76

District	Total Enrollment	Enrollment 7-12	ADA % K-6	ADA % 7-12	ADA % District	Total Number Out Of School Daily
Albany	10,382	4,432	93.9	78.1	87.2	1,331
Buffalo	57,032	26,962	90.3	85.7	88.2	6,724
Corning	8,571	3,986	84.3	92.4	88.1	1,024
Hempstead	6,056	2,514	93.3	76.8	81.5	822
New York City	1,096,460	507,898	84.2	77.3	81.7	20,054
Niagara Falls	14,832	7,648	91.4	86.7	88.6	1,689
Rochester	43,323	17,667	89.0	81.5	85.9	6,078
Rockville Centre	4,598	2,185	81.9	93.0	87.2	589
Schenectady	11,291	5,504	89.5	87.5	88.5	1,297
Sewanhaka	10,892	10,892	*	93.2	93.2	740
Syosset	7,246	4,181	96.3	91.0	93.2	491
Syracuse	26,760	11,934	90.2	84.6	87.7	3,290
White Plains	7,770	3,969	93.2	87.6	90.4	751
Yonkers	29,709	14,414	83.3	80.4	81.6	5,469

* This district has only secondary schools.

although, on occasion, the figures will also reflect a prolonged teacher strike or epidemic. Absences in secondary school might be expected to fall below the 6% to 8% given for total school rates because of the lower incidence of illness among teen-agers than among elementary-school-aged youngsters. Yet the figures shown in Table 23 reveal that in the urban centers the opposite is always true -- attendance is substantially lower in high school. (In small middle-class communities with low elementary attendance rates the pattern reverses. In both Rockville Centre and Syosset, attendance was better for teen-agers than it was for younger children.) Higher secondary school rates reflect the increasing frequency of truancy. In Hempstead, for example, while the elementary school ADA for 1975-76 was 93.3%, the secondary was 76.8%. These rates, and those of other communities with attendance not much better, reflect a serious school attendance problem. Almost two-thirds of absences in urban high schools may be attributed to truancy.

Our interview data includes materials from various attendances supervisors; although the number of respondents is small (9), the answers we received are suggestive. Only three supervisors were willing to describe the "typical" truant: all three said that truancy was the product of an unstable home situation and that the truant was academically unsuccessful. In their general comments, many respondents spoke of truants as products of homes in which there was little parental control excerised.

This picture of the truant is borne out by our interviews with dropouts. The relationship between failure in school and dropping out has been discussed in some detail in the chapter on dropouts: suffice it to say that the obvious is true; some students cut classes, skip school, and ultimately drop out in order to avoid academic situations which are embarassing and chronically frustrating. Although we did not wish to probe in detail into the home lives of our interviewees, we did ask if there had been serious problems (one indication of instability) at home while they were in secondary school. 47.5% of dropouts responding said that there had been home difficulties.*

The Council of Greater New York, in its study on out-of-school children, found that 62% of the parents interviewed were disturbed about their youngster's truancy or early withdrawal. [4] Parents of teen-agers have only as much control as they can exert by moral or financial persuasion, or by their physical presence. Low-income parents are less able to use the withholding of financial security to control their offspring than are middle-class parents. As a result, although they may care intensely, they are often unable to effect significant changes in the behavior of their older children. Therefore, when the first parent-contact for truancy brings no change in the student's attendance, the school should read this as a signal indicating the need for direct intensive help.

*Unfortunately, we had no control group of teen-agers of this question.

Although truancy cries out for an intensive hands-on policy, our drop-outs reported little in the way of constructive efforts from school districts. 55% of those surveyed reported that they had skipped school a lot; of those, 35% said that the school had not even tried to make them attend! In those cases where the school did attempt to improve the student's attendance, 64% said that the school sent letters to the home and made phone calls home; schools also had conferences with parents and students. The total of those who said that the school's attempts to correct their truancy involved parents -- either through letters and calls, or through conferences -- was 80%. In other words, in situations where it is acknowledged that parents have difficulty controlling their children, and where home situations are unstable, the schools are still relying almost entirely on the parents to get their children into school. It is not surprising, then, that 69% of those who had been truant said that they had not stopped skipping as a result of the school's efforts.

Jim left 8th grade in 1977. 'I didn't like school. I didn't think it was worth it, half the courses are no good: social studies, science and health can't get you a job. The schools don't teach things to help you get a job. The thing he disliked the most about school was the teachers' attitude. 'The teachers didn't want to be bothered with me. They wouldn't give me work to do because I missed too many days of classes. I liked phys. ed though. You were doing things in those classes. The teacher just watched to see how well you could do and would help you when you couldn't do something well.' He skipped school frequently. He was suspended numerous times for non-attendance. 'School officials were foolish; it seemed pointless to get put out of school. It just gave me more reason not to be there.' Recognizing now that some skills are necessary for work, he is presently enrolled in a training program offered by The Educational Opportunity Center.

Syracuse
White
Male

In addition to seeking help from parents, and sometimes in coordination with it, the schools use punishment as a means of curtailing truancy. 16.7% of those who had been truant said that administrators had threatened to either suspend or drop them from school. 44% of those in our sample who had been suspended said that they had been suspended for truancy. Over 40% of the principals said that they used suspension as a technique for dealing with truancy -- some used it routinely (23%), others only when the truancy was habitual. 55% of the principals punished selective attendance by suspension. There is an obvious irony in using suspension (an externally enforced absence) as a punishment or deterent for skipping (a self-imposed absence).

School officials often appear less disturbed by the chronic truants than they do by the selective attenders. Picking and choosing their classes, selective attenders noisily roam the halls, sit and smoke in the bathrooms,

and entice other students to join them. While their very presence in school, but not in class, is an unending source of irritation to administration and faculty, that presence is an indication of the teen-agers' ties to the school. It is also their presence which makes them reachable, if the school is willing to focus its energies and time on identifying the underlying problems and on responding appropriately to them. We know of several districts in which classcutting is punishable by removal from that class. The first or second cut generally results in one or another sanction, sometimes a lowering of the grade, while the third or successive cuts lead to removal from the class. This punishment is clearly an inappropriate and counter-educational response to selective attendance. Exclusion from a particular class and suspension, the more usual punishment for class-cutting, operate only to further attenuate the students' relationships with their schools. Curriculum modification, supportive relationships, or intensive counseling are among the techniques which might cement the ties to the school.

Seventeen-year-old Mike was an average student who had had no major behavior problems in school. Toward the end of his junior year, Mike had a long illness, was hospitalized, and ultimately missed one month of school. As a result, he failed to obtain credit in most of his 11th year courses.

On returning to his high school in September, Mike was despondent about the need to repeat courses taken previously, making it unlikely that he would be able to graduate with his class. After a warning on skipping classes in October, he received a long-term suspension notification. The charge, although officially for insubordination, was clearly for truancy. Mike attended the long-term suspension hearing without counsel and without his parents, as he was no longer living with them. Mike was officially excluded from school.

He was reinstated when an advocate appealed on his behalf to the Commissioner of Education. He is now two years behind his class, when some attention to making up one month might have kept him with his class.

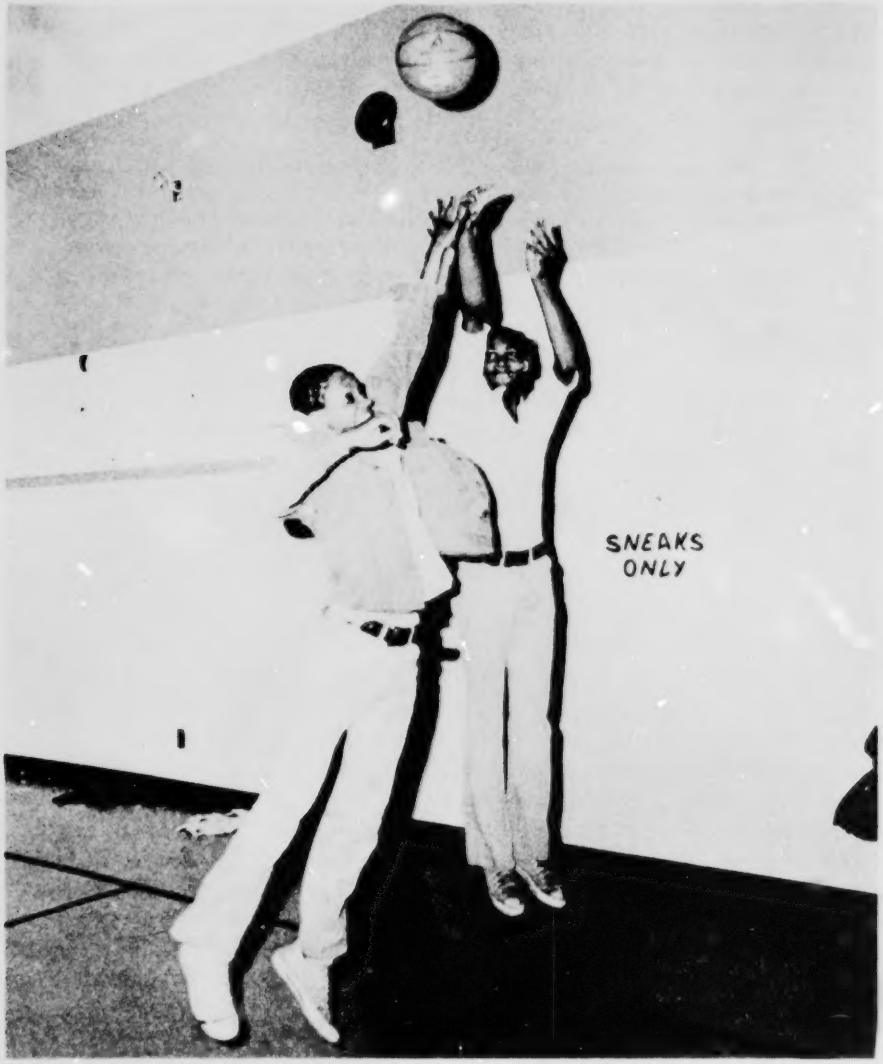
Small Upstate District
White
Male

All those young people whom we interviewed had dropped out of high school; nonetheless, more than 75% of them were presently enrolled in some form of training or educational program. 87% said that education was important because it helped either for getting a job, getting ahead, or adjusting to new job requirements: for these young people, then, education was first and foremost essential as a practical tool to economic survival. It is true that perhaps for some the importance of education was learned the hard way -- through inability to succeed without it.

Education is important so one can be like everybody else; get a job, house, and car without hustling.

Mt. Vernon
Black
Male - 17
Long-term suspended

As advocates, we have learned that the American belief in education as the key to future success is held just as firmly by low-income students and their parents as by any other group in society. Failure in school is doubly significant for the poor, since it represents the loss of the ticket of admission into a more comfortable middle class. The student who fails knows that, and so does the truant. Why do they stay out then? The answer to that is complicated and includes some factors which are admittedly beyond the school's control. Surely, a significant part of their non-attendance can be attributed to the failure of the schools to deal with the causes of non-attendance and by the weakness of the procedures used to compel attendance.



Attendance Departments - Each district is required by law to have at least one person responsible for school attendance, and since 1975 all newly-hired people filling that role must be certified attendance teachers. We found a wide disparity among districts in the number of personnel assigned to monitor attendance.

What Attendance Departments Do - In general, the district attendance personnel are not involved in truancy problems until the school makes a referral. Therefore, up to that point, truancy is a school responsibility. Nonetheless, Niagara Falls was the only district which stated that, prior to making a referral, the principal was clearly responsible for doing everything within his power to secure attendance.

In this age of specialization, we have generally freed the individual teacher from the responsiblity of getting the children into school. And yet it is the classroom teacher who knows the students best and whose involvement is a sure sign of caring -- something the students need to see. One attendance teacher mentioned to us that he felt that many of the home contacts he made might be more effective were they made by individual classroom teachers. The Community Council of Greater New York indicated the extent to which New York City teachers have separated themselves from attendance problems:

> The most recent United Federation of Teachers contract classified this aspect of the teacher's responsibility as 'unprofessional,' which means that teachers generally do not follow up absences of their students by making phone calls or home visits.[5]

In another district, the attendance supervisor said that the principals' and classroom teachers' failure to carefully monitor attendance was a significant contributing factor to the district's horrendous truancy rates.

> *John left school after a period of truancy. He had been in school in a smaller district and missed his friends and personalization of the old school. Although he recognized that school would provide him with an opportunity for a better income than the welfare his family knew, he could not adjust to the big urban high school. When he left, no one attempted to reach him or his parents regarding his disappearance 'for quite a few months.'*
>
> *Downstate*
> *Black*
> *Male - 17*

The Sanctions - The compulsory attendance laws are enforced by Family Court petitions for Persons in Need of Supervision (PINS) and by petitions for neglect against the parents or guardians. The very titles of these proceedings are indicative of the desperate seriousness of most of the situations. Because of the severe family disfunction and because of the usual pattern of parental lack of control, the attendance officers we interviewed generally believe that only the power of the Family Court can serve to correct serious patterns of truancy:

The kids need stronger supervision. Parents need to be told that there is a law and that they need to conform to it.

Attendance Supervisor

PINS petitions were used in most districts in which we interviewed; many districts also encouraged parents to bring the petitions themselves. PINS petitions for truancy account for almost half of the PINS cases filed throughout the state.

Rochester and other school districts report increasing use of the petition charging neglect directed at the parent. This is usually instituted concurrently with a referral to the Social Service Department for investigation of the home.* This increase in the use of neglect proceedings reflects the growing recognition that the truant is often a victim of parental neglect, poverty, or of overt abuse.

Yolanda was sometimes embarrassed to attend school because of the 'scars on arms and legs' from beatings by her mother and step-father. If her parents refused her her lunch card and gave her no breakfast, she often lacked food.

For Yolanda, school was something of a refuge, where there were always activities and she could be 'peaceful and happy,' though sometimes restless. Twice Yolanda was suspended for fighting -- and twice she was beaten by her parents with pieces of extension cord. At 15, Yolanda left home and school.

In Yolanda's ideal school, people would check for problems in the homes of slower students, of those who cut classes, or of those who misbehaved: 'People would show they cared and try to help.'

Buffalo
Black
Female

Even though there is noticeable increase in the use of neglect petitions in Buffalo and Rochester, districts still file three or more times as many PINS petitions - aimed directly at the child.

Many districts recognize that both the PINS and neglect proceedings are more effective in helping younger children than older ones. Parents can still be helped to correct attendance difficulties of youngsters: teen-agers pose far more difficult problems. A Hempstead supervisor noted that he was not effective with hardcore truants. Similarly, Rochester does not file PINS petitions for students over 15 because court proceedings may take six months and the students would be approaching, or past, the age of 16 when attendance is no longer compulsory. Older truants are more difficult to help because their problems are usually more deeply rooted; truant officers often recognize that they are being asked to rectify years of educational neglect.

---

*"Truancy can also be the child's way of handling personal problems: tattered clothing, dependent parents or siblings, health problems." Children Out of School in America

Some of the kids can't cope with school work, so they feel embarrassed. They have been promoted at elementary levels even though they can't do the work.

Attendance Officer

Whether truancy is an outgrowth of the youngster's home or academic difficulties, or of his conviction that school is irrelevant to his needs, the longer he has had those problems or attitudes, the more deeply ingrained will be his pattern of truancy.

For old or young truants, the districts turn to the Family Court as the enforcer of compulsory attendance laws. We remain unconvinced that the designation of a youngster as a PINS will assure his school attendance:

1. PINS does not control the most troubled older children.

2. Court referrals are often left unmonitored so that the enforcement value of the court presence is frequently lost and teens are taught that the court process need not be taken seriously.

3. Parents and students who respond to the court might respond as effectively to the community-based mediation models now being tested in a variety of areas.

4. For younger children, neglect petitions appear more appropriate -- as they target directly to the parent.

We believe that community services and placement can be provided voluntarily without the court referral. It is time to replace the court role in PINS with the development of adequate service alternatives. Attendance departments should be at the forefront of such efforts, but they must be joined by teachers and principals, by social agencies, and by parents' groups.

A Note About Average Daily Attendance as a Basis of State Aid

Theoretically, average daily attendance (ADA) is the basis for state aid to public school systems. The use of average daily attendance (rather than enrollment figures) as the basis for state aid to public schools was developed with the goal of providing school districts with a positive monetary incentive for encouraging maximum school attendance.

In recent years, the state has developed yearly modifications to the state aid formula. By the 1970's, these annual formula revisions had seriously reduced the incentives to increasing attendance which were built into the original ADA formula. Many districts found themselves under some form of "save harmless" which kept their aid from being reduced, or they were placed under a "cap" which limited the state aid which could be authorized to no more than 6% more than they had received the previous year.

The inefficiency of ADA as a means of encouraging school districts to fight truancy has been increasingly recognized. In 1973, the Fleischmann Commission recommended that the state shift to enrollment as a base.[6] That report argues that the ADA discriminates against districts which have high truancy rates because most basic costs for running schools continue

despite attendance losses. A full shift from attendance to enrollment, without additional funding, would generally result in a re-allocation of educational funds from smaller school districts with higher attendance to the larger school districts with high enrollment. The Governor and the Regents have proposed that the State Aid Formula for education be changed from a distribution of funds based solely on attendance to a distribution of funds partially based on register.* This change would theoretically increase state aid to urban districts with poor attendance by providing dollars for half of the non-attending children who are on the register. New York City, with the lowest attendance of any school district, would receive additional state aid under this revised formula. Should the legislature ever approve a formula partially based on enrollment, the new funds generated must be mandated for services to the truant population.

Even without additional funds, districts must begin to develop the community-service efforts necessary to reach out to truant children: the cost to society in terms of lost educational opportunity for the truant students, and in terms of incidence of delinquent behavior, is far greater than the expense of providing the necessary social service and counseling programs.

Good schools and good programs are the best protection against truancy, as Family Court Judge J. McNary Spigner recognized when he wrote:

> It is apparent that the Compulsory School Law... (is)... not going to cure the truancy problem. The problem is not a legal or judicial problem, it is a school problem. From what I have seen in this court, truancy, on the most part, results from the inability of the school system to offer courses to children so that all of them can succeed and grow toward responsibility.[7]

*This proposal was rejected in 1978. Because of the political implications, it is unlikely that enrollment will soon be used as the sole basis for funding.

RECOMMENDATIONS

1. School boards, superintendents, principals, and administrators must establish clear responsibility of the classroom or homeroom teachers and school administrators to intervene through telephone conversations to the child's home on any absence where truancy is suspected. Homeroom and classroom teachers should be evaluated, in part, on the attendance rates of their students. Principals and attendance officers should be evaluated, in part, based on actual school attendance and expected attendance for the population served. Additionally, high school principals should be evaluated on the basis of the number of ninth graders who remain until graduation.

2. Truancy should not be dealt with by out-of-school suspension, but by in-school counseling, evaluation of academic problems, and the development of an intensive "hands-on" program.

3. PINS - School districts should seek to reduce their dependence on the Family Court's PINS petition to gain school attendance by developing programs which combine school and community-service techniques which address underlying problems as well as the symptom of truancy.

4. Any new state aid formula, based all or in part on enrollment rather than average daily attendance, must incorporate mandates for utilizing increased funds to reach and serve high-risk truant and dropout populations.

CHAPTER SIX

OVER-16

Sandra, a Native American, felt she was the victim of her large city school system. As a mother, she was dependent on often unreliable sitters in order to attend school.

In a school where the doors were locked and guarded at the tardy bell and only properly-excused students were admitted, Sandra's frequent tardinesses proved to be a constant problem. After repeatedly being told that 'School is not for mothers,' Sandra was kicked out of school without a hearing two months before graduation. She never could understand why the rules could not have been altered to accommodate a student with a baby.

Buffalo
Native American
Female

Few of the 60,000 New York high school dropouts are excluded through long-term suspension following a legally constituted hearing. Nonetheless, for many of these teen-agers, withdrawal is not voluntary. Even though some of them will complete the requirements for the General Education Depgree, most will never earn their high school diploma.* In this chapter, we talk about pushouts -- those who leave school because they are kicked out or are encouraged to leave and those who give up on school after officials have given up on them.**

New York State law mandates that:

> A person over five and under twenty-one years of age who has not received a high school diploma is entitled to attend the public schools maintained in the district in which such a person resides without payment of tuition. (New York State Education Law Section 3202)

This right is <u>not</u> contingent upon the individual's being subject to the compulsory education laws (Section 3205); thus, <u>the right to a free high school education ends only when the individual reaches 21, not when he or she reaches 16.</u> Furthermore, the state regulations establish that no student may be denied this free education for longer than 5 days without the holding of a long-term suspension hearing and without adherence to the due process instructions of Section 3214 of State Education Law. Further protection for free schooling comes from the Supreme Court's ruling in <u>Goss v. Lopez</u> [1] that a person's:

> ... legitimate entitlement to a public education ... (is) a property

*Annually, approximately 34,000 New Yorkers earn their Equivalency Diplomas. This 34,000 figure, however, is drawn from the total of New Yorkers who have not graduated, not from any one year's group of dropouts. (<u>Annual Education Survey 1975-76</u>)

**In this chapter, we do not consider those who voluntarily decide to leave school because other alternatives seem more appropriate for them.

interest which is protected by the due process clause.

To protect this property interest, the court established due process safeguards for use in short-term suspension situations. To give force to these protections, the courts have held that school administrations and school board members are liable for actions violating a student's constitutional rights.*

DENIAL OF THE RIGHT TO EDUCATION

Despite these strong provisions, in virtually every city we studied we found that:**

1. Some school administrators referred to high school education of students over 16 as a "privilege" rather than a right, thus limiting the unqualified right to a free education to those between 6 and 16.

2. School district administrators throughout the state deny some students their due process rights to long-term suspension hearings by pushing out over-16-year-olds via a variety of mechanisms such as threats to expel, transfers to evening school, and disciplinary transfers. Students are unaware of their continuing right to an education after 16 and of their procedural rights to a fair hearing -- and are not so informed.

3. School administrators, truant officers, and teachers routinely "give up" on the truants, the disciplinary problems, and the academic failures when they near the age of 16.

4. Faculty and administrators in schools throughout the state actively encourage selected students to drop out.

5. Over-16-year-old students wishing to re-enter school after early termination are frequently denied re-entry by school principals.

Together these elements result in what can only be called an intentional and systematic denial of the right to education of thousands of New York State youths.

EDUCATION FOR THE OVER-16

From the Principals - School is a Privilege - We questioned the administrators directly responsible for the management of the schools about their policies regarding over-16-year-olds. Specifically, we wanted to know how

---

*... an act violating a student's constitutional rights can be no more justified by ignorance or disregard of settled, indisputable law on the part of one entrusted with supervision of students' daily lives than by the presence of actual malice ... Therefore, in the specific context of school discipline, we hold that a school board member is not immune from liability for damages under Section 1983 if he knew or reasonably should have known that the action he took within his sphere of official responsibility would violate the constitutional rights of the student affected, or if he took the action with the malicious intention to cause a deprivation of constitutional rights or other injury to the student. (Wood v. Strickland, Feb. 25, 1975 U.S. Law Week, p. 4293

**Because advocates see so many cases of over-16-year-old pushouts, this section relies heavily on the experience of advocacy groups across the state.

the administrators differed from each other, and from the legal requirements, in the manner in which they worked through problems of over-16-year-olds.

Although only 10% of the principals surveyed specifically stated that they believed that education after 16 was a privilege which could be withdrawn whenever the student no longer deserved it, the actions of large numbers of principals illustrate that attitude. One principal explained that his district was:

> *... oriented to keeping younger students, but parents know that when a kid is 16, school does become a privilege with some responsibilities on the part of the parent and student.*

Or, as a principal in a different district put it:

> *We tell him that if he does not change his ways, he will be out.*

The law, however, does not give the district the right to simply tell a youngster that "he is out," but rather it gives the under-21-year-old the right to a free public education.

The Students Believe the Principals - The myth that education is a privilege after the age of 16 so pervades the education system that students themselves are convinced that principals may, at will, exclude them from school when they are over 16. When asked why they left school, 15.5% of our respondents said they had been "kicked out" and an additional 6.1% said they left because they expected to be kicked out, or left before the school could have the chance to ask them to leave. Since involuntary withdrawal from school is tantamount to long-term suspension, a student who is "asked" to withdraw is entitled to a fair hearing with all its due process guarantees; the dropouts we interviewed revealed little or no knowledge that they had those rights. Many of the students so excluded would have preferred to remain in school.

Comments from dropouts we interviewed and reports from advocates tell us that unwanted students are frequently told that if they do not withdraw, the district will hold a "superintendent's hearing" (long-term suspension hearing) at which they will be forced out. Students often opt to leave rather than have those proceedings on their permanent "records." In some cases, this may benefit seriously disorderly students by allowing them to withdraw with relatively clean records.

> *I think it's better to quit before you get throwed out. It looks better on your record.*
>
> *Corning*
> *White*
> *Male*

In many other cases, however, students who would probably not be excluded as a result of a fair hearing leave on their own in fear of a negative hearing result.

Our interviews show that comments by principals, deans, and counselors encouraging students to withdraw or threatening them with exclusion at 16 are taken seriously by dropouts and pushouts. Frequently, this pressure begins well before the student has turned 16 with such comments as: "Wait until you're 16; we don't have to keep you after that;""We can transfer you to evening school when you are 16," or, "I see your birthday is in November. You better watch your step."

No less than 21.5% of dropouts in our sample were directly or indirectly pushed out of school at 16. Although these and other young people like them may well have been having academic and disciplinary problems, they left school because they were, or expected to be, kicked out.

TREATMENT OF THE 16-YEAR OLD

School Problems - We asked principals if their schools had any special procedures through which they addressed themselves to the needs of teen-agers in danger of failing or whose behavior caused problems for the school. The principals' answers, as shown below, indicate that almost half of the schools had no particular program of action geared to helping those students before their school problems became severe enough to cause them to withdraw or to be asked to withdraw.

- 48% had no special procedures
- 20% looked for educational alternatives or recommended students seek alternatives
- 8% referred students to pupil personnel for counseling
- 5% suggested students leave
- 2% encouraged students to stay and provided special classes for skills needed to graduate
- 1% talked with parents

It is our belief that the lack of policy results in failure to take affirmative steps directed toward holding marginal students. The troubled students read this inaction as proof-positive that the school did not care.

I'd of stayed if they'd only seen I couldn't read and taught me.

Those principals who said they looked for educational alternatives or who referred the students to pupil personnel services, appear to be responding appropriately to the problem.

Fred left because he did not like school.

'In English class, I told the teacher I couldn't read and needed help. She said I didn't need any special help - I should just speed up my reading.' Fred said he did not like English; 'It's a boring subject. All you do is read and take tests. I can't read too well.' But he did like Science because: 'You get to do things in class like experimenting and dissecting things. I was good in Science.'

Fred never found a place for himself in school. 'I wasn't in no clubs or

sports in school. The things I liked, they didn't have no clubs for - like model cars and racing them and stock cars and things.' Fred's ideal school would provide 'an education for kids -- a high school diploma!' There would be no 'pushing kids to dropout!'

Corning
White
Male

The school had twice failed Fred; once individually, by not recognizing and dealing with his need for special academic help; and once generally, by not providing the "extras" for Fred and those like him. Fred feels that his school cared only about the middle-class, academically-motivated students and that there was really no place for him in that school. Perhaps he is right.

Evening School Transfers - Our Rochester case experience indicates that even those "concerned" discussions between school personnel and students who are failing often result in transfers to evening school -- as well as to settings more appropriate for the student. Rochester routinely "transfers" truant, failing, or otherwise disruptive 16-year-olds to evening school. Becuase the state has no requirements for due process in cases of transfer, the district is able to send letters to the students informing them that for reasons of truancy, selective attendance, unruly behavior, or whatever (there is no policy standard), they have been transferred to East Evening School. These transfer notices are form-letters which need to have the blanks filled in by a clerk.*

These arrangements made without the students' knowledge or consent are unsatisfactory to many young people, as evidenced by appeals for help to a local youth advocacy project. The Rochester Youth Advocacy Project, in its evaluation report to the State Division for Criminal Justice Services, stated that 22% of all cases seen by the Project dealt with the question of transfer to evening school. This is not an issue of transfer to an equivalent, though different, educational setting. In evening school, the cost of books and transportation are borne by the student, and the school does not offer the full spectrum of courses available in day school. Furthermore, a teenager whose mother is receiving public assistance is required to work during the day, or to attend the WIN program while going to evening school. As evidence of the involuntary nature of these transfers we use the principal of the evening school's report that only about 50% of the transferees actually enroll.

At 16, James was a bright, ambitious youngster. He valued school as a way out of the ghetto, away from the poverty he and his mother had always known. His goal, college, appeared within his reach. But at the end of 11th grade, James had an accident in gym, injuring his head and resulting in severe headaches. During that period, James did not attend classes. When James had difficulty securing a doctor's excuse, he received a letter from

*As an example of the routine clerical level at which this is handled, there have been cases where the letters went out without the receiving school being entered in the blank space; students then assumed that they had been dropped and not transferred.

the school informing him that he was transferred to evening school. Unable to alter these arrangements, James took his story to an advocate who secured his readmission. James is now in college.

Rochester
Black
Male

By categorizing these students as transfers, and not as dropouts, the district manages to deflate its dropout figures. In 1975-76, of the 7,168 Rochester students enrolled in grades 10 through 12 approximately 750, 10.5%, were transferred to East Evening School.* Although district compilations of evening school figures do not indicate how many students choose to transfer and how many are transferred, we do know that only about 50% of the total of transferring students actually enroll in evening school in the same academic year. Thus it appears that significant numbers of Rochester students are pushed out of school through the mechanism of transfer to evening school.

Although Rochester is the only one of our sample districts which routinely makes disciplinary transfers to evening school, there may be other areas in the state where this practice is followed. Were there procedural guarantees in matters of transfer, this practice could not be continued. 16-year-olds and their parents would be called to school for a conference, at which time the principal would have an opportunity to encourage the student to remain by designing a program which might encourage school participation and attendance.

Recommendation for Withdrawal - We know from advocacy experience that parents tend to be deeply concerned and upset when their children leave school before graduation. We also know that principals sometimes recommend early withdrawal. To learn how often such recommendations were made, we asked the principals: "If a student has been consistently in trouble and disruptive, do you ever recommend that he may be better off if he leaves for a while?" 55% of the responding principals said "yes," while 42% said "no." Even though the suggestion of early withdrawal from secondary school is, in almost all cases, an admission of educational defeat, our sampling indicates that a majority of principals sometimes take this route with over-16-year-olds. Although the interviews cannot yield data on how many over-16-year-olds leave as a result of principal recommendations, we are told by advocates all through the state that very many of their clients drop out because a principal, dean, or counselor has told them they would be "better off" if they left school.

*Since only students 16 years of age or older may attend evening school and most students turn 16 in the 10th grade, we are using enrollment figures for the 10th grade and up in calculating the percentage of students transferred.

Pete left school in 1976 when he was 17 and in 12th grade. He says he is 'slow in learning,' that school did not help him at all, and that he still can't read. He began to skip school and was out a month every year. The school called his mother but he continued to skip classes and spent his time walking in the halls and 'hanging around.' His counselor, after talking with him only twice, advised Pete to leave public school. Pete thinks every child should have an education but there shouldbe separate schools for slow learners like him.

Syracuse
Black
Male

When we asked the principals if there were any "other circumstances under which you make such recommendations," 28% said that disruptive behavior was the only reason for which they recommended early withdrawal. Principals saying "yes" gave a variety of other reasons, the most significant of which was the answer of "emotional disturbance." 11.3% [6] principals said that they suggested that emotionally disturbed students leave school. While the absolute number of principals so responding is small, our experience as advocates suggests that this may be an undercount of those who recommend withdrawal for older teen-agers with emotional problems.

Some students who display "emotional disturbance" may actually be emotionally handicapped and thus entitled by law to an appropriate education until they are 21 years old. Our advocate experience indicates, nonethless, that principals tend to pay little attention to the handicapping conditions of older teen-agers. While this study could not provide us with estimates of the numbers of emotionally handicapped 16-year-olds who are pushed out rather than diagnosed and placed in classes for the emotionally handicapped, we suspect that schools tend to "give up" on older teen-agers and that this tendency is evident throughout the schools' dealings with students over 16.*

Re-Entry - Because the only legal abridgment of the right to an education for students under 21 is long-term suspension, students who voluntarily withdraw have the right to voluntarily re-enter. Yet advocates report numbers of teen-age clients requesting help in re-entering school after they had voluntarily withdrawn.

We, therefore, asked principals: "If a student over the mandatory age has transferred or dropped out, but still lives in your district and decides to return, do you have the authority to decide whether to accept the student back?": 60% of the principals said they could refuse re-entry. The principals' unwarranted assumption of the authority to refuse re-entry may result in a serious denial of the right to education until 21 -- thus violating the spirit and intent of Section 3202. The effect may be that of long-term exclusion for many students who have voluntarily or involuntarily withdrawn.

In our discussion of suspension in Chapter Four, we cited the case of Sally who withdrew from South High School rather than apologize for an offense she said she had not committed.

> *Sally attempted to return to West High School (the school she had attended before she moved into the South High district), but the dean of West told her that she could not enroll because she was not in the West district and that, furthermore, even if she were she had been transferred to evening school and would have to 'prove herself' there. (Sally had withdrawn -- and had not been transferred.) Two weeks later, Sally's family moved into the West district. Again Sally tried to re-enroll; again she was refused. It took over two months, and litigation, for an advocacy group to secure her admission to West.*

Just as Sally's case highlighted for us some of the illegal suspension practices used by schools, so the case illustrates techniques used to push out unwanted students. When Sally informed the dean that she wished to withdraw, the school made no effort to help her re-think that decision. When Sally attempted to re-enter school, she was told that she would not be allowed to do so. Yet, nowhere in the law does it say that a student may not re-enter. When Sally pressed for the right to re-enter, she was told that she had been transferred. If the school had indeed made such a transfer, Sally had been neither invited to participate in a discussion of the decision to transfer, nor informed of the arrangement. The cumulative effect of

*See the following chapter for a more detailed discussion on the issue of emotionally-handicapped teen-agers.

these actions would have been to deprive Sally of her education had she not been so determined to return to school that she turned to an advocate for help.

Had all school personnel recognized that it was Sally's right to re-enter, and their obligation to implement her right, the case need never have reached an advocate. If the principals had indicated to their subordinates that they expected them to follow the law, the deans, counselors, and vice-principals would never have taken steps which illegally denied Sally her education. Too often, the momentum of large institutional schools pushes them in directions which seriously abridge the rights of over-16-year olds; it is the responsibility of the principals to re-direct that momentum into channels which will secure, rather than deny, the right to a high school education for all people under 21.

RECOMMENDATIONS

1. Boards of Education should review local school district practices regarding removal of over-16-year olds and should formulate clear policies for voluntary termination of education. Such policies should include requirements for:

   A. Notification to parents and an opportunity for a parental conference.
   B. A signed statement by the student giving reasons for leaving.
   C. Verbal and written explanation of the right to a fair hearing before removal from the school.
   D. A statement of the student's right to return at any time until the age of 21.
   E. Notification of alternative programs or services available.

2. Principals have been found to make the largest single difference in school atmosphere. They can do so by their presence in the halls and classrooms, by their involvement in all suspensions, by their commitment to developing genuine in-house alternatives to suspension, by their involvement with parents and the community, and also by inviting community agencies into the schools to offer special services to students. By thus visibly caring about all students, principals can communicate the messages that no child is expendable -- and that all children can learn.

3. Each teacher and school administrator must accept the responsibility of assuring that no child is "written off." Teachers and administrators should be warned that it is unprofessional and counter-educational to encourage, whether through statement or action, early withdrawal from school.

CHAPTER SEVEN

THE NEED FOR APPROPRIATE EDUCATION

It is our contention that large numbers of those New York State teenagers who leave school before graduation do so because they have been academically unsuccessful. We have shown, as indications of widespread academic failure, the huge disparities in achievement between suburban and urban children and the large numbers of 6th and 9th graders performing below minimum competency.

Enrolled in New York State schools today are an estimated 654,532 students who will drop out before graduation unless something is done to change the present pattern.* Most of these youngsters are already exhibiting, in varying degrees, the signs identified as warning signals of early school withdrawal: academic failure, disruptive behavior, and truancy. All potential dropouts should be served by the appropriate intervention program: alternative schools, mini-schools, special curricula, counseling and resource rooms, remedial and bilingual programs, or new educational apprenticeship programs. The public schools should be reaching all of this population. And they are failing to do so. Without appropriate education, the students' cycle of failure, disruption, and early withdrawal will continue uninterrupted.

As evidence that the authorities recognize the rights of children to that educational placement most likely to bring them academic success, we cite regulations issued by the Commissioner of Education in 1965. The Commissioner stated that the schools are required to administer examinations to determine the underlying causes (physical, mental, or social) for underachievement or failure of pupils not enrolled in special classes; the goals of the examination should be to determine:

> ...the best procedures to alleviate or remove, insofar as possible, the causes of failure or 'underachievement' for each child. [1]

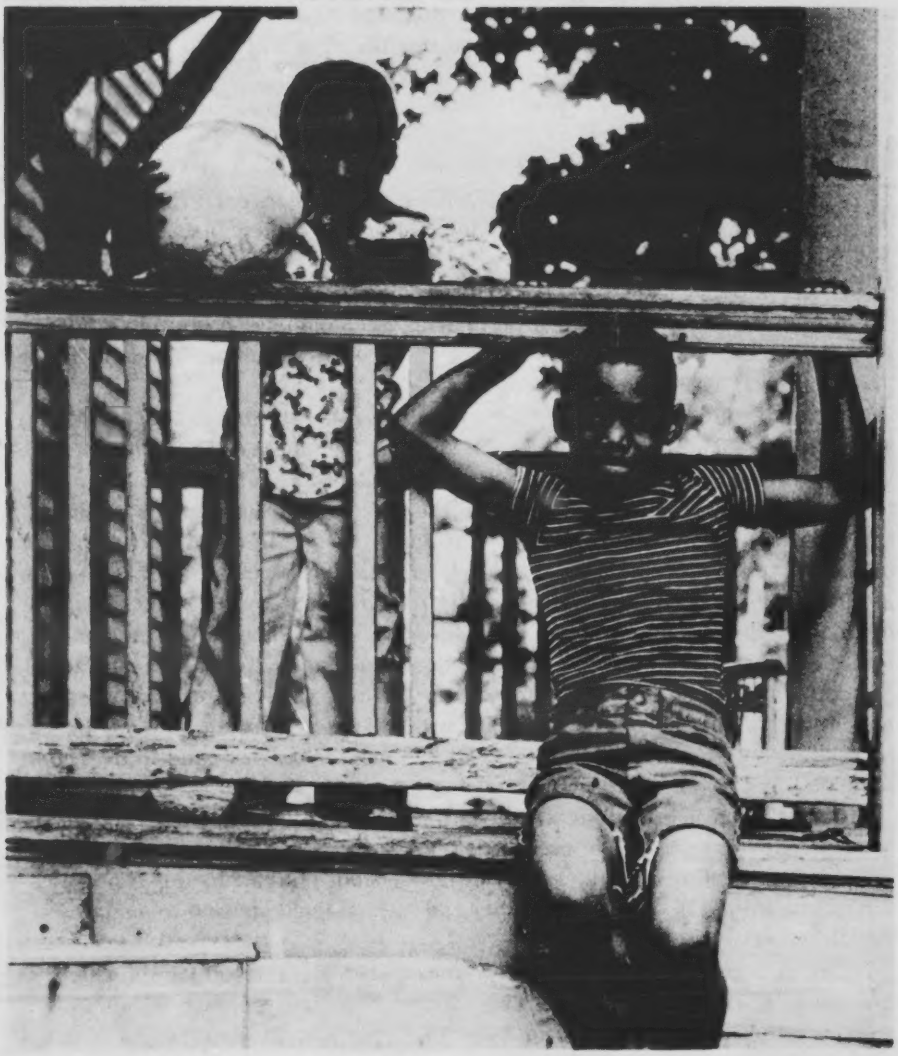
Furthermore, the state laws which make education compulsory may also be interpreted as providing a generalized right to an appropriate education. Since the courts have held that persons involuntarily deprived of their liberty for reasons of mental instability are entitled to suitable treatment,[2] should not students compelled to attend school be also entitled to suitable or appropriate educational placement?

Students with specific handicaps now have the benefit of carefully articulated procedures and rights designed to secure appropriate educational placement. Other groups have not been so protected. In the following pages, we will discuss the needs of the economically disadvantaged, of the non-English-speaking, and of the handicapped. We will conclude with an

*See Appendix G

analysis of the protection the law affords the handicapped, speaking of this as a kind of model for the protective regulations we seek for the other groups discussed.

We believe that all children are entitled to the special help necessary for their academic, and ultimately social and vocational, success. The special needs of the youngster already performing well below the standard set by his state-wide peers are just as real though considerably less well-recognized and certainly less well-protected by law than the needs and rights of the blind and the retarded. We argue for the rights of all children to appropriate placement; that is, placement which will encourage academic success, rather than foreordain academic failure.



EDUCATION FOR THE ECONOMICALLY DISADVANTAGED

Most of the remedial programs presently servicing the potential dropout population are funded by compensatory education revenues. The two funding mechanisms which dominate compensatory education in New York State are Title I of the United Stated Elementary and Secondary Education Act, and Chapter 241 of the New York State Education Law Section 3602, Pupils with Special Educational Needs (PSEN).

Title I - Title I was passed by Congress in 1965:

> ... to provide financial assistance to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means which contribute particularly to meeting the special educational needs of educationally deprived children.[1]

Two key factors are involved in determining eligibility for Title I funds:

- Eligible Schools -- Using data from census figures and Aid to Families of Dependent Children, schools which have a "high concentration of children from low-income families" are designated as target schools.

- Eligible Students -- Within target schools, only those students who need special educational assistance to perform at grade level and who are not presently in special education classes are considered eligible students. Usually students who are reading at a specified number of years below grade level are eligible.

Because the need (based on the number of eligible students) usually exceeds the funding available, each district must establish priorities for the use of funds. In 1974-75, secondary schools received just under one-third of the total Title I funds for the state. Although there is nothing in the federal regulations requiring that funds be so allocated, this targeting of funds to the elementary grades reflects the strong bias that younger chidren will respond more successfully to compensatory education. Because of this emphasis on help in the early grades, many secondary schools offer little, if any, remedial assistance for students with significant needs. Nonetheless, since the socioeconomic factors calling for compensatory education remain with the child throughout his schooling, the compensatory intervention must be on-going if the youngster is to be able to overcome the obstacles placed in his way.

PSEN - Pupils with Special Educational Needs, under Chapter 241 of the State Education Law Section 3602, is an aid program which provides:

> ... categorical urban aid to any urban school district having a heavy concentration of pupils with special educational needs associated with poverty.

The aid goes to any school district with over 4,000 pupils which, in the year 1971-72, had over 1,000 students scoring below minimum competency (the 23 percentile) on the PEP tests. Although the aid is based

on the number of students scoring in that range in the early 1970's, the monies received must be targeted at the present PSEN population, defined as those whose achievement is two years below grade level. PSEN funds are distributed to school districts with virtually no state monitoring, except for the definition of the target population. Local districts need only to submit three-year plans for the expenditure of the funds. The funds are to be allocated to meet the needs of those who are working two years behind in math and reading: should the district have too few students at that level, the target population may be redefined to include higher-achieving students.

The 1977-78 PSEN formula provides an additional .25 weighting for elementary students and an additional .15 weighting for secondary students who are reading two or more years behind grade level.*

Because PSEN funds go to the district, and not to the school, they can be used to provide services to eligible students who are not enrolled in Title I target schools. In schools which do receive the federal funds, the combination of PSEN and Title I monies can make possible better programs than either funding could produce alone.

Insufficiency of Compensatory Education Funds - Nonetheless, even with both sources of funding and with the opportunity for combining them in the interest of better service to students, the total needy population is still not being served. In districts where the numbers of eligible students have increased since 1971, or where the need of the students is particularly great, the funds allotted are not sufficient to provide the full range of special services required. According to Richard Weiner of the State Education Department Office of Compensatory Education, Title I and PSEN funds combined:

> provide approximately $330 million annually to school districts to design and implement remedial programs in basic education skills for approximately 50% (500,000) of the eligible elementary and secondary children enrolled in our schools.[4]

That leaves 500,000 educationally deprived youngsters without help because there is not sufficient money to give them the services they need if they are to have any hope of real academic achievement. Of those being served, only two-thirds are narrowing the gap between their skills and those of the rest of the school population. There is need for an evaluative effort to determine what is happening to the one-third, why they are not being effectively remediated, and what can be done to correct that situation.

> *By the age of 15, Julie had been incarcerated and had a child. At the age of 16, she dropped out of high school. She complained of not liking it. 'They passed me without knowing why. I continuously failed but they passed me anyway.'*
>
> *Syracuse*
> *Black*
> *Female*

*This is a substantial improvement on previous budgets which provided no additional count for secondary students testing two or more years behind.

Acknowledging that they are not reaching all students needing help, 55.6% of principals surveyed said that their schools did not provide reading remediation to all who needed it. Compensatory education programs, then, are missing a large section of secondary school students who are in urgent need of immediate help. For many of them, there is only today; by tommorrow, they will have left school.

EDUCATION FOR THOSE WHOSE PRIMARY LANGUAGE IS NOT ENGLISH

Many youngsters battling the obstacles caused by inadequate family finances must also overcome an even more significant barrier in their search for an education -- the language barrier. The second largest minority group in the United States is made up of persons of Hispanic origin. Thoughtful parents and some educators have long realized that children who do not understand the language of instruction are denied an education appropriate to their needs. In 1974, the Supreme Court gave expression to those beliefs and set forth the legal basis for the protection the law now gives to these youngsters:

> There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education ... When inability to speak and understand the English language excludes national-origin minority-group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students. (Lau v. Nichols) [5]

Dropouts Among SSA - Large numbers of youngsters do not receive the bilingual programs they need. One result of such denial is the failure of a majority of Spanish-surnamed students to graduate from high school. In New York State, 52.5% of the Spanish-surnamed Americans who entered 9th grade in 1967 did not enroll in the 12th grade four years later; their rate of dropout is the highest in the state.*

Indeed, these high dropout figures could almost have been predicted from the New York City absentee rates which show that Puerto Rican youngsters are out of school more frequently than any other group. Table 24 depicts the problem of absenteeism in the New York City School District with particular attention given to minority groups. These figures, of course, are primarily truancy figures since excused absences would yield no more than an 8% absentee rate.**

---

*Based on holding power developed by The Fleischmann Report

**See Chapter Five

TABLE 24

NEW YORK CITY ABSENTEE RATES
(percentages)

	Elem.	Jr. High	Sr. High
Puerto Rican	17.17	22.38	31.57
Black	16.07	19.48	28.89
Other Hispanic	14.83	16.60	29.96
Others (white)	13.16	15.79	25.02
Average	15.44	19.22	28.30

The absentee rate for Puerto Rican elementary school students is 17.17 per cent and reaches a startling 31.57 per cent for high school students. Although other Hispanic children have absentee rates close to those of white and Oriental (Others) youngsters in elementary school, by high school their 29.96 rate of absenteeism is higher than that of blacks and almost as high as the rate of Puerto Ricans.

Perhaps truancy problems are compounded when schools lack the staff to discuss the issues in the students' primary language. The findings of OCR's recent compliance review of New York City show that over 25,000 Hispanic elementary students, with moderate-to-severe difficulties, attend schools that do not have any Spanish-fluent guidance staff. Furthermore, large numbers of those students are enrolled in schools with no Spanish-fluent staff to administer discipline.[6]

Enrollment in Bilingual Programs - Despite the failure of over half of the Spanish-surnamed Americans to graduate from New York State schools, districts until recently maintained that non-English-speaking children were not entitled to bilingual education. Even today, according to a 1978 article in the New York Times,[7] Manhattan's P.S. 34, where most of the 575 youngsters were of Hispanic background, has no bilingual classes. Those children speaking only Spanish were sent to other schools, while other youngsters who had previously been in bilingual programs were integrated into the regular classrooms.

> *Pedro lived in Puerto Rico until he was 13. His family then moved to Buffalo where he was placed in a bilingual program for the 7th and 8th grades. Pedro's academic trouble really began in the 9th grade: he could neither read, nor write, nor speak English very well and gradually fell behind in his school work. The taped language instruction provided by the school district did not help. Although he had difficulty learning math, he never received any special assistance. He disliked those classes which gave daily quizzes in English: 'I couldn't read them.' So Pedro began to skip*

school and to cut those classes in which he could not read the work. When Pedro was 16, his counselor actively encouraged him to leave school, saying that he was too far behind in his work to continue. Pedro left school in the 11th grade - a pushout, not a dropout. His ideal teacher would be 'someone who could understand.'

Although Pedro had four years of public schooling in New York State, he is now enrolled in a bilingual program where he says he is finally learning English.

Buffalo
Puerto Rican
Male

Pedro's case illustrates a situation peculiar, perhaps, to New York State where large numbers of the Hispanic population come from Puerto Rico. A highly mobile ethnic group, Puerto-Ricans travel back and forth to the island taking their school-age children with them. Furthermore, population statistics indicate that large numbers of SSA's enter the New York schools in the high school years. These factors, the mobility plus the influx of large numbers of teens, indicate that something other than the transitional language education program is necessary. "Transitional" programs are designed to take kindergarteners and gradually teach them English so that the Spanish instruction can be phased out by the third grade. This will not suffice for a mobile population. Nor are English-as-a-Second-Language programs adequate to the needs of Spanish-speaking teen-agers entering high school. These students must be provided with subject-matter instruction in their native language until such time as they can understand and profit from instruction in English. The primary goal of all bilingual or ESL instruction must, of course, be to produce competence in English, but where family patterns or age of the students make it necessary there must be Spanish-language maintenance programs.

The key to service for non-English-speaking children is identification of those needing the special instruction. When we requested figures from the State Bureau of Bilingual Education, they were unable to tell us either how many youngsters had a primary language other than English, or how many students were enrolled in bilingual or ESL programs.

Given the absence of state-wide figures, we must turn to New York City figures which give evidence that large numbers of non-English-speaking students are not receiving the help they need. In the OCR 101 Form, New York City identified 148,871 students as having a primary language other than English. Of those, only 77,180 were enrolled in an ESL or bilingual class. Thus, just slightly over half of the students needing service were receiving service. Since close to 90% of all SSA students reside in New York City, these figures speak for service to that population.

Thus, despite the Regents' targeting of educational assistance to non-English-speaking children as a high priority item, and despite the growing recognition that many youngsters cannot learn if the language of instruction is not one of which they can comfortably speak or understand, countless child-

ren in New York State find themselves in classrooms where they cannot understand what is being taught. It should not come as a surprise to us that they are truant and leave school in numbers disproportionate to their percentage of the population.

Legal Protection - Ten states have passed laws requiring the development of bilingual education services. These laws mandate that schools which serve more than twenty students of limited English-speaking ability establish transitional bilingual education programs. The programs must be available for the children for three years, or until they achieve a level of English-language skills which will enable them to perform successfully, whichever comes first. State Senator Robert Garcia has introduced a similar measure into the New York State Legislature for the past two years. It is time the bill gained the support it deserves. Only with such a significant compensatory program can we expect to see a major decrease in the number of SSA youngsters leaving school before graduation.

EDUCATION FOR THE HANDICAPPED

Number of Handicapped Students - In 1976-77, 4.4% of the New York State public school enrollment age 5 to 20, and 5.6% of those age 5 to 17, were served by special programs for handicapped students. District averages vary substantially from the state-wide average: Buffalo places 5.9% of its students in special classes, while Rochester serves 3.8%.* The federal regulations for the Education of All Handicapped Children Act, P.L. 94-142, allows for federal aid for handicapped for up to 12% of the enrolled students. If the federal maximum for reimbursement even approximates the numbers of handicapped to be served, then New York State has a long way to go in identification and service. In fact, although the state had anticipated projected services to 220,000, its 1976-77 figures indicate that school districts actually served only 117,081. It is possible, of course, that the data collection is providing an inadequate and low count of actual services.

Our specific concern with classes for the handicapped extends in three directions: 1) to assure that non-handicapped youngsters are not mislabeled as a result of inadequate or culturally-biased testing, 2) to secure protection for the newest category of handicapped; i.e., the learning disabled (LD's), and 3) to identify and serve emotionally handicapped teen-agers.

Mislabeling - Although labeling often serves as the only means of securing an appropriate individualized education for students experiencing school problems, advocates have a real concern over the dangers of mislabeling and overlabeling children. We will address ourselves first to the question of the incorrect placement of children, frequently minority children, in classes for the handicapped. Classes for handicapped youngsters, frequently called Special Education Classes, include programs for the physically handicapped, emotionally and perceptually handicapped, and the mentally

*Buffalo and Rochester figures were derived from Office of Civil Rights forms.

retarded (MR). We are concerned primarily with youngsters who have been mistakenly categorized as mentally retarded or slow. Misdiagnosis tends to occur where there is undue emphasis placed on standardized mass-administered achievement and I.Q. testing scores.

Youngsters placed in "slow" classes or in MR classes are not expected to receive high school diplomas; they work toward certificates of attendance, and generally leave school when they turn 16, thus fulfilling the district's expectations for them.* We do not see them in holding power estimates of dropouts because their enrollment is tabulated by program, not by grade. If we acknowledge, therefore, that there are significant numbers of youngsters so misplaced, then we must recognize that they provide another source of uncounted dropouts. They are young people who, given the appropriate placement, might have been able to graduate from high school, but did not.

Because so many of the tests used to diagnose mental retardation are biased to the advantage of verbal children from middle class backgrounds, it is not surprising that minority students are found to be disproportionately represented in classes for the mentally handicapped. The Office of Civil Rights collects data on the numbers of children enrolled in special education classes and in classes for the mentally retarded. We examined the data on the 1975-76 forms for a select group of upstate cities and found that in every city except Rochester, blacks were noticeably overrepresented in special education classes. Table 25 indicates that in all of these cities, there was gross disproportion in the number of black children present in the classes for the mentally retarded.

TABLE 25
RACIAL/ETHNIC CHARACTERISTICS OF SPECIAL EDUCATION PARTICIPATION

City	Percentage of School Population			% Special Ed. Participants			% Participation in MR Programs		
	Blk.	Wh.	SSA	Blk.	Wh.	SSA	Blk.	Wh.	SSA
Buffalo	44.5	50.4	3.6	49.2	47.3	2.4	66.0	30.0	2.4
Lackawanna	16.3	78.5	4.6	21.0	71.1	8.9	48.0	38.0	14.0
Mt. Vernon	68.5	27.4	3.3	82.6	14.5	2.7	85.9	11.1	3.1
Poughkeepsie	49.1	50.1	.3	65.2	33.9	.5	67.6	32.4	0
Rochester	44.1	47.2	8.0	43.9	49.8	5.4	56.9	35.6	6.9
Syracuse	31.5	64.0	1.3	41.3	55.1	1.0	49.8	47.9	.3
Utica	15.7	81.7	2.4	29.1	65.2	5.0	40.7	58.4	.8

*"Slow learners" are not officially handicapped. They are often placed in ungraded classes which may fall under the auspices of the Special Education Department.

Although only 44.5% of Buffalo's school population is black, 66% of youngsters in MR classes are black. In Mt. Vernon, blacks account for 68.5% of the total school population and 85.9% of the MR's. In Utica, blacks comprise 15% of the school population and 40.7% of the MR classes.

Both the findings illustrated by Table 25, and the information given in the OCR compliance review for New York City,[8] lead us to the conclusion that there are patterns of diagnosis and placement for minority children which are inconsistent with the representation of those children in the population at large. Spanish-and-Asian-language-speaking youngsters are significantly under represented in programs for all categories of the handicapped. A ratio of one Spanish-speaking psychologist to every 5,414 Hispanic students with moderate-to-severe language difficulties certainly does not aid the process of diagnosing for mental or emotional handicaps. OCR's compliance report also indicated that while students are significantly overrepresented in classes for all categories of the emotionally handicapped, they are clearly underrepresented in programs for the orthopedically handicapped and in those for the visually or hearing impaired.

Were the explanation simply that the children from impoverished backgrounds were less physically and mentally healthy than were middle-class children, we would expect to see overrepresentation of minorities in all categories of programs for the handicapped. But that is not the case. Although there is overrepresentation for blacks in classes for the mentally handicapped, there tends to be underrepresentation for both blacks and SSA's in classes for the physically handicapped. Such disparities lead us to suspect bias in the identification and testing of handicapped youngsters.

Learning Disability - Some form of learning disability (LD) may well be the cause for the conditions causing many children to be labeled "slow learners" or retarded.

> *Ed left school in 1976 in the middle of the 12th grade because he wasn't doing well in school; he wasn't learning anything. 'I skipped English a lot. I looked funny - everyone reading and I couldn't.' Ed had met with so much failure in school that he now believes his case is hopeless. He is 20 years old and reading at a fifth grade level. He thinks that education is important. 'You need it to find a job -- but school is not for slow learners; they don't stand a chance.'*
>
> *Syracuse*
> *Black*
> *Male*

In recent years, there has been a growing recognition that many children have disabilities which severely inhibit the development of basic skills. It often takes expert medical, and individual psychological, testing to distinguish the child with a learning disability from one who is otherwise disabled or who is retarded. The need for such expert diagnosis may account for the relatively high use of LD labels in middle-class communities where those services are available and may also account for the higher use of

retarded labels in urban areas where funds to provide that expert diagnostic help are not available.* Advocates dealing with inner-city youngsters having school problems report that whenever they are able to secure good testing for their clients, large percentages of them are found to have hearing, perceptual, or motoric disabilities.

There have been difficulties in defining the range of problems included in this group. The present New York State definition relies heavily on use of the discrepancy between actual achievement and expected achievement, as estimated by ability testing.

> 'Specific learning disability' means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, or to do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain disfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage. A child who exhibits a discrepancy of 50 per cent or more between expected achievement,

*Tests are being developed which should enable less-skilled personnel to make assessments of learning disabilities.

based on his intellectual ability, and actual achievement, determined on an individual basis, shall be deemed to have a specific learning disability.*

The formula runs the risk of excluding children in the early primary grades who are, in fact, learning disabled. Many of the difficulties of definition are inherent in the nature of the learning problems themselves and in the state of medical, psychological, and educational expertise on the subject. Even though in New York there is now a Regents'-approved definition for LD, there is not yet real agreement on whom the youngsters needing help are.

Although there is no real understanding of what the costs of serving LD kids will be, there is a growing consensus that most LD's can be effectively served within their regular schools, provided that the regular curriculum is supplemented by individualized attention from specially-trained teachers and their aides in resource rooms designed for this purpose. Early intervention can break the documented cycle of learning disability leading to school failure, to frustration, to emotional problems, and to school behavior problems.*

Until this year, mildly-learning-disabled young persons received little in the way of special attention or programs unless they were fortunate enough to reside in one of the few communities which provided special services, or to be placed in appropriate classes under programs funded for the general category of Pupils with Special Educational Needs. The scarcity of service was due in large measure to the absence of state recognition of LD as a handicapping condition, and the resulting lack of state special funds. But that situation is changing. The Education for All Handicapped Children Act P.L. 94 - 142 mandates full identification and servicing of LD's, by all states receiving aid under the Act, by autumn of 1980.

In order to meet the deadline, states must begin implementation of services to LD's prior to that date. As a result, the Governor's budget proposal for 1978-79 included an allocation of $2,169,000 to serve 38,000 children in resource rooms. Each LD teacher is expected to serve 40 children at a cost of $610 per child. Most of the funds to run the program will come from PSEN or general state aid and will be supplemented by the above mentioned new funds.

Introduction of a major new program of assistance to LD's is a most significant development. Unfortunately, according to the most conservative estimate,** the projected 38,000 students to be served constitute just over half of the population who are learning disabled. With funding estimates inadequate to the expected need, many will remain unserved. It is likely that the emphasis of the first program years will focus on identification and service of elementary school-age children. In most communities, secondary

*A strong link between learning disabilities and juvenile delinquency has been indicated by a variety of reports.

**Educators' and psychologists' estimates of those having some form of learning disability range from 2% of the school population to 15% (and up).

students with learning disabilities may have to wait until the programs expand.* Although by autumn of 1980 all those with learning disabilities who are between the ages of 5 and 21 are supposed to be served, we doubt that, given the restriction in new funds, the program will in fact expand to serve all by that date. Our interviews with dropouts strongly suggest that many secondary students have learning difficulties; these students need identification and service now.

Education for the Emotionally-Handicapped Teen-ager - Many older children, whose academic failure or behavioral problems might prompt referral to Committee for the Handicapped review if they were only younger, are left -- undiagnosed or unserved -- to struggle through or to drop out of high school. This happens despite the obligations under P.L. 94-142 to serve all handicapped children between ages 5 and 21.

> *Everyone knew Julie was emotionally disturbed. She was 16 when the principal of her semi-rural school told her to 'go home and don't return.' This was not the first time that she had been suspended in a manner contrary to law. Her skipping of class, her days in the school bathroom, her wandering in the hall, all made her difficult for school personnel to deal with. The fights with the principal, the shabbiness of her clothing, the lack of parental response to her problems, and her failing of all courses since the 8th grade (when her aptitude tests showed her of normal intelligence) all were clues to Julie's need for special attention.*
>
> *After months at home with nothing to do, Julie went back to the school to ask for readmission. She was referred to the school psychologist who recommended that she not be admitted to school unless she went into private psychological counseling. Julie did not choose to do so. She turned to an advocacy group which asked the district why Julie had not been referred to the Committee for the Handicapped for assessment and appropriate placement. The school officials replied that they could think of no placement for her within the school district or the contracting BOCES. Although the advocate was able to secure re-entry, it was clear that there was no program available that would work for Julie.*
>
> *Julie, now above the compulsory attendance age and with no credits toward graduation, opted to stay out. She is working part-time in a diner but remains isolated and depressed.*
>
> *Semi-rural Community*
> *White*
> *Female*

Just as learning disabled teens are unlikely to receive the services they need, so emotionally-handicapped teens are likely to remain undiagnosed and unserved. Even when emotional disturbance is evidenced by potentially dangerous behavior, the schools frequently fail to address themselves to causes.

---

*We base this in part on the experience of other handicapped categories: two-thirds of current PSEN expenditure is in the elementary schools: many hold that the pay-off of services is higher when younger children are helped.

John, a 15-year old black youth, was streetwise, academically able, and above all glib. Even his way with words could not disguise the knife he brought to school one day -- or the money he took from his parents' lower-middle-class home. John knew he had problems and had reliably kept his appointments with a psychiatrist at the community mental health center.

When the knife incident resulted in a long-term suspension, with home tutor, no one asked if there might be emotional problems at the core; no one knew that the severe tensions between him and his parents resulted in his leaving home, or that the effect of hour-upon-hour of idleness was to provide him a freedom which he would use to become involved in a range of minor delinquent activities. Even though John could handle a regular school curriculum, it was clear that he still needed special attention. He should have been reviewed by the Committee for the Handicapped; instead he was suspended.

Rochester
Black
Male

Although disruptive behavior in adolescence may sometimes indicate a handicapping condition, the undesired behaviors may often be accounted for by less radical causes. Students may react negatively and inappropriately to programs which do not meet their particular needs. Sometimes the physical and psycho-social changes associated with adolescence may account for the rebelliousness so often seen in teen-agers. It is important that school districts exercise restraint in the labeling of youngsters -- the tag of emotionally disturbed is far more easily gained than lost.

Principals often recognize that some troublesome students have problems which make it impossible for them to function effectively in classes. Attempting to make the school time useful, these principals sometimes adjust the hours required of particular students in the hope that they will be able to cope with a shortened school day.* 47% of the principals responding to our question said that they sometimes assigned troublesome teenagers, returning from suspension, to half day programs. 55% of the principals making these arrangements said that they did so because for some reason the student was not able to handle a full day.

Nonetheless, it is true that physically-well students who cannot tolerate a full day of school, or who are seriously disruptive and/or truant, may have some kind of emotional difficulty requiring special placement. Emotional handicaps are just as real as physical ones and can severely inhibit a student's ability to participate in, and profit from, the educational process. The rights of these youngsters to testing and to appropriate education are now secured by legislation, and teachers and parents need to press the districts into compliance with the laws.

Students whose behavior indicates a need for special attention should be mainstreamed to the extent possible. Use of one or a combination of methods -- as individualized programs, intensified relationships with caring adults,

*This may, or may not, be a permanent arrangement.

special resource rooms, and intensive counseling services -- can often provide the help necessary to enable a student to remain in regular classes. Teachers, too, will need support and guidance in their efforts to accomodate to the needs of special students. Teachers are vitally interested in this issue because all too often they are called upon to handle emotionally disturbed youngsters in regular classroom settings without any meaningful assistance from the school. In such instances, all the children suffer, supervisors scream, parents complain, and the teachers themselves feel frustrated and angry because they are expected to do the impossible. When schools are forced to recognize and identify hndicapped teen-agers, arrangements for service can be made.

> *Joan, a bright sixteen-year-old from a small rural community, was suspended for disruptive behavior. The school made every effort to permanently exclude her from classes because of her frequent outbursts of 'violent language and temper.' Advocate intervention succeeded in assuring her right to continue in school, but the behavior problem which had prompted the school's exclusionary efforts did not lessen. It became obvious that soon Joan would receive a legal long-term suspension. Acting upon advocate advice, Joan's mother requested psychological evaluation and Committee for the Handicapped review. Through these procedures, Joan's 'bad-girl' behavior was diagnosed and treated as the result of an emotionally-handicapping condition. Appropriate school placement was secured (special resource teaching within a regular high school setting) and Joan is now expected to graduate from high school.*
>
> *Rural Upstate Community*
> *White*
> *Female*

However school districts not only have an obligation to provide appropriate services to those presently enrolled, but also to actively seek to convince handicapped dropouts under the age of 21 to return for appropriate educational services. Even though many school districts now release handicapped children from special education programs at age 16 with "certificates of attendance," these certificates are not diplomas and will not be recognized as evidence of the provision of appropriate education or of equal educational opportunities.

Child Find Coordinator Barrent M. Henry, in testimony to the State Assembly Sub-Committee on the Handicapped on March 8, 1978, warned:

> These 16-to-21 year olds constitute the major 'unserved' priority group. Schools who fail to meet these responsibilities could lose their Health, Education and Welfare funding. Also, districts who initially take the approach of not seeking to serve these children may later suffer the substantial expenses of litigation relative to what might be labeled 'mal-education' (less than reasonable or appropriate services).

Mr. Henry's testimony goes on to point out the serious problem of identifying handicapped persons who left school prior to the testing necessary for appropriate diagnosis.

Advocacy experience indicates that many smaller upstate school districts are not identifying emotionally disturbed teen-agers. The lack of alternative programs probably provides a dis-incentive to complete diagnosis. Few BOCES districts run programs for emotionally disturbed teen-agers, and fewer still appear to serve the disturbed teen who is able to perform at or near grade level. Although we are not able to give statistical evidence to support these findings, we are convinced, from the number of relevant cases, that school districts in general, and smaller districts in particular, have much to do before their programs will be in compliance with the legislation covering the handicapped. Additionally, many students presently with severe behavior problems and/or emotional handicapps, may find BOCES vocational programs closed to them. The rights of these youngsters to appropriate education are now defined by legislation. Parents, advocates, and teachers must now press to secure the full compliance with the laws.

HANDICAPPED LEGICLATION AS A MODEL FOR GUARANTEEING THE RECEIPT OF COMPENSATORY EDUCATION IN THE MOST NORMAL SETTING FEASIBLE

The Education for All Handicapped Children Act of 1976 requires that every state develop a program that "assures all handicapped children the right to a free appropriate education," by September of 1980. This law, in conjunction with other federal and state laws,* has created a minor revolution in the field of education.

A Committee for the Handicapped (composed of administrators, district and out-of-district professionals, and community parents) oversees the placement process in each school district. Each child suspected of being handicapped must be tested and diagnosed to determine if a handicapping condition actually exists. The law permits parents, school officials, or professionals to initiate this request for testing. On the other hand, in order to minimize the danger of mislabeling, parents who do not believe a handicapping condition exists may compel the school to justify the need for testing.

Once a determination is made that a child does in fact possess a handicapping condition requiring the provision of special educational services, the Committee on the Handicapped has a specified period of time in which to recommend a placement. Most importantly, whenever a school identifies a child with a handicapping condition, the district is obligated to provide an education appropriate to that child's needs in the most normal setting feasible. To assure appropriate education, an individualized education plan must be developed for every child with a handicapping condition. Defined as a cooperative effort of school personnel, other professionals, and parents (and the child wherever appropriate), the plan must include an assessment of current needs, goals with specific timetables, and methods for achieving those goals. Both placement and plan must be reviewed on a regular basis and parents must be notified if any changes are proposed. At each step of

*Rehabilitation Act of 1973 and New York State Education Law Section 4400 et seq.

the process, parents have extensive rights to object to the proposed action of the school district and to receive an impartial review of their objections.

Even before the Act of 1976, the rights of handicapped children in New York were protected by state law. In 1973, in the celebrated Riley-Reid decision, the Commissioner of Education had ruled that the Board of Education in the City of New York had failed to meet its obligations in a variety of ways -- essentially, in that handicapped children were receiving neither proper diagnosis, treatment, nor placement; the court further ruled that a district's lack of funds was not a basis for a denial of the right of handicapped youngsters to an appropriate education.

OVERALL IMPLICATIONS

There is an indirect relationship between the handicapped and all youngsters whose educational placement and services are not giving them the skills they need to succeed academically, socially, and eventually economically. The federal and state laws establish the right of each handicapped person to an appropriate education; they require that local districts provide that education; they set forth procedures guaranteeing due process protections throughout. By so doing, they set the stage for a similar broadening of the rights to an appropriate education for children who are not considered handicapped in the traditional sense of the word, but who nonetheless require special services if they are to profit from their education.

Implications and Recommendations for Students Needing Compensatory Education - Under present laws, students who meet the criteria for PSEN and Title I aid do not have a clear, individual right to an appropriate education or to compensatory education. Parents of students who meet the guidelines for either program are not routinely notified of their children's eligibility for the remediation. Parents whose children are working far below grade level often have no understanding of the youngster's levels of achievement or of their academic problems. In a little-monitored or enforced provision of Title I, Congress stated that:

> ... individualized education plans should be developed, wherever feasible, for each child participating in a Title I Program; the plans are to be developed jointly by school, parents, and, where appropriate, the children, and are to be periodically evaluated.*

In a Philadelphia court battle, parents won the right to receive an assessment of their children's skills according to grade level, to a "contract-like" statement of expected improvement, and to a description of the special assistance they could expect from the schools. These directly parallelled the rights accorded the parents of handicapped children. We believe that these guarantees for information and carefully-thought-out remediation should be accorded parents of all educationally-disadvantaged youngsters.

*20 U.S.C. Section 241c

Implications for Spanish-Speaking Students - The Regents have identified the needs of Hispanic students as a priority for 1978-79. The State Education Department is to give priority to assisting:

> ... the schools in developing specialized education programs for all non-English-speaking children, including instruction in the pupil's base language and particularly designed to develop rapidly their ability to read, write, and speak English.[10]

Children for whom English is not the primary language have a set of special school problems which must be addressed if the youngsters are to learn. We believe that these children must have the special services guaranteed to them by law. The Regents' statement should be implemented by legislative action mandating bilingual education. While accepting the Regents' statement that the first emphasis must be given to the learning of English, we call attention to the Regents' request for subject-matter instruction in the child's primary language: in this way, learning in subject areas can continue while the child is learning English.

Parents of non-English-speaking children should be guaranteed the right to an assessment of their children's needs, given in their own language, and a statement of the goals and expectations the district has for their development. Periodic conferences with groups of parents should be required.

CHAPTER SUMMARY

In this section we have dealt with a variety of special educational needs. We have discussed the problems of the economically-disadvantaged, of the non-English-speaking, and of the handicapped students. The argument's thread, though twisting and turning, follows a theme inextricably related to the subject of this report -- large numbers of those New York State teen-agers leaving school before graduation do so because they are unsuccessful in school. Among the causes of academic failure are failure to diagnose and correct, or compensate, for a variety of handicapping conditions and learning disabilities; too few and less-than-adequate bilingual education programs; and insufficient and underfunded compensatory education programs. Recent education law covering provision of services to the handicapped can serve as a model for the kind of legislation necessary to assure that learning-disabled, bilingual, and economically-disadvantaged youngsters receive the education to which they are entitled.

RECOMMENDATIONS

The State Legislature should establish a right to appropriate educational services for all New York State residents from 5 to 21. We are particularly concerned that the legislature establish entitlement to compensatory education for PSEN youngsters, for youngsters failing minimum competency tests, for non-English-speaking students, and for handicapped youngsters.

That legislation should mandate clear parental notification as to the educational deficiencies of their children and their entitlement to compensatory programs; it should require that school districts develop individualized educational plans for each student meeting Title I or PSEN criteria; and, finally, it should mandate yearly parent-evaluation sessions of each compensatory-program-eligible student to assess progress and further needs.*

1. The legislature should require school districts to develop appropriate programs for all eligible students, utilizing general tax revenues where compensatory aid does not meet full need.

2. To implement the recommendation that all children needing compulsory education should be so served, all school districts should be mandated to adopt procedures to:

A. Implement 8NYCRR Section 203.1(b)(3), requiring diagnosis of all under achieving or failing students to determine "the best procedures to alleviate or remove, insofar as possible, the causes of failure or 'underachievement' for each child."

B. Notify parents of all children meeting PSEN criteria or failing minimum competency exams of their education deficiencies and of the entitlement to compensatory education.

C. Develop a goal-directed educational plan for each student meeting Title I or PSEN criteria or failing minimum competency exams. We also recommend:

3. That all students whose actual achievement falls 50% below expected achievement should receive thorough testing for learning disabilities.

4. That the PSEN Funding Formula be increased from 1.40 weighting for secondary students to 1.50. Additional funds received by the districts from PSEN and Title I should be directed at secondary students until such time as school districts are able to provide a continuity of remedial assistance from grade school to high school.

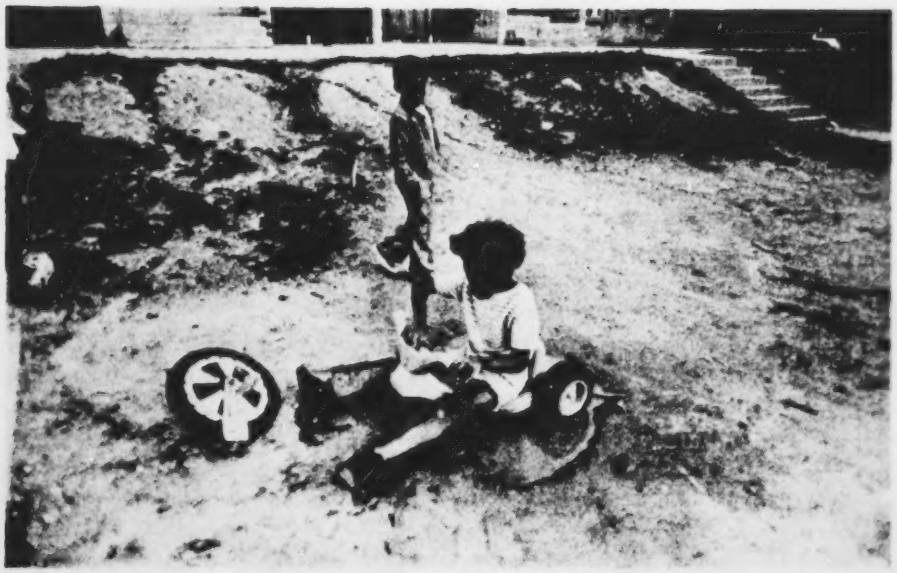
5. That legislation be passed requiring school districts to establish transitional bilingual programs for children of limited English-speaking ability, wherever a district has 20 or more children of limited English speaking ability in any classification. Regulations defining classification would include such factors as grade level and primary languages.

6. That, following long-term suspension hearing, whenever a student

*The legislation should allow for some grouping of students for purposes of parental notification and educational planning as a practical means designed to make compliance realistically possible.

over 16 is to be excluded from school without alternative education, the matter should be referred to the Committee for the Handicapped review.*

7. That the State Department of Education Child Find Project focus its attention on identification of older students with handicapping conditions, and on the development of appropriate educational programs for secondary students with emotional disturbances and learning disabilities and other handicapping conditions.



8. That the State move rapidly to develop adequate underwriting of costs to provide services to the learning disabled, so as to assure compliance with P.L. 92 - 142 provisions effective 1980.**

9. That the state immediately provide financial incentives for the establishment of selected programs of identification, placement, and service provisions of learning disabled. Such programs should determine frequency, severity, and cost of individualized prescriptive programs provision in school districts with various mixes in racial and economic population. They should provide school-based services and resource rooms, and develop strategies for coordination of services so as to establish good services which are cost-effective.

*The guarantee of P.L. 92-142 (the right to appropriate education until age 21) extends to handicapped students who are disruptive.

**Present state budget recommendations from the Governor for 1978-79 are clearly inadequate.

CHAPTER EIGHT

FINDINGS AND RECOMMENDATIONS

Without major improvement in the quality of New York State education, we can expect 654,532 students, or 22% of the total 1976-77 school enrollment, to leave high school before graduation.

MAJOR FINDINGS

I. The state does not provide appropriate education for well over 500,000 New Yorkers who have need for compensatory education, bilingual education, and special services for the handicapped.

II. School disciplinary policies are seldom made public and almost always lack consistency and clarity. Major portions of the state law on suspension are violated by large numbers of school principals, resulting in excessive reliance on suspension as a disciplinary tool. Two-thirds of all urban secondary school absences are illegal absences, an indication of the pervasiveness of truancy.

III. Students over 16 are frequently illegally excluded from school. This results from the disregard of young people's rights to a continuing education until the age of 21, and from widespread violation of their rights to due process hearings.

IV. Few schools provide a climate conducive to the individualization and caring that students tell us they most want and need in order to learn and thrive.

V. The State Education Department is not adequately monitoring the indices of school problems. Figures on dropouts are highly inadequate; no general monitoring is conducted on school disciplinary policies; and the state's capacity to monitor high school achievement has decreased since the requirement for 9th grade PEP testing was dropped in 1976.

MAJOR RECOMMENDATIONS

All of our subsequent recommendations are directed toward implementation of these general recommendations:

I. We must establish a right to appropriate education for all New Yorkers from ages 5 to 21.

II. We must establish rational disciplinary procedures which have the dual function of: 1) integrating disruptive students and potential dropouts into the school through meaningful assistance rather than further alienating them or banishing them through punitive measures, and 2) protecting all students and faculty from substantial disruption and from the threat of personal violence.

III. We must end the illegal exclusion of over-16-year-olds by insisting upon the use of established due process procedures in all cases of exclusion.

IV. We must improve the ability of public schools to provide a human-

istic environment in which each individual student and faculty member can learn and grow.

V. We must increase our ability to monitor actions and policies, particularly with regard to dropouts, pushouts, truants, and the administration of discipline.

I. FINDINGS CONCERNING THE RIGHT TO APPROPRIATE EDUCATION

Our examination of achievement and special programs revealed that:

- Over 600,000 of New York State students do not receive appropriate education. These include the 500,000 requiring, but not receiving, compensatory education, the uncounted thousands of New Yorkers whose primary language is not English and who need bilingual programs to enable them to work effectively in English, the mislabeled, the underserved, and the unserved handicapped.

- In 1976 in the big cities, 42% of the sixth graders scored below minimum competency in reading and 43% in math, and in 1975, 44% of the ninth graders scored below minimum competency in reading and 52% in math. PEP scores can and do improve with better instruction, but fall again when special emphasis is reduced.

- Over 500,000 New York State students eligible for compensatory education do not presently receive those services; only 300,000 of the 500,000 who do are showing significant progress. There is little evaluation to better understand the reasons for these failures. The study found that two-thirds of compensatory education aid is spent in elementary schools, although 56% of the secondary principals we interviewed told us that reading remediation was not being provided to all who needed it. While the state aid for Pupils with Special Educational Needs provides an additional 25% weighting (or approximately $120) for each elementary PSEN child to enable districts to provide compensatory and remedial education, the formula provides only 15% additional funds for secondary schools.

- State Education Regulation 8NYCRR Section 203.1 (b)(3), requiring schools to administer examinations "to determine the best possible procedures to alleviate or remove... causes of failures or underachievement," implicitly recognizes a right to appropriate education for underachievers. This regulation is rarely enforced.

- There is no clear right to appropriate education and compensatory educational services for each person meeting the criteria for such assistance -- either in New York State's program for Pupils with Special Educational Needs, or in the federal Title I program. There is no requirement that parents of non-handicapped students be notified of the special needs of their children.

- Spanish-surnamed Americans in New York account for 10% (352,000) of the state's three and a quarter million students. Although a 1970 estimate showed 52% of these students drop out of school, establishment of bilingual

classes in New York City (where 88.8% of the SMSA population lives) has been slow. Despite federal regulations and state and Supreme Court decisions mandating bilingual education, New York City figures reveal that at least 71,700 children requiring bilingual education are not presently being served.

Our look at special education found that:

- In virtually all upstate cities in the state, with the exception of Rochester, black children were noticeably overrepresented in special education classes. In particular, they are overrepresented in classes for mentally retarded. The disparities are frequently so large as to suggest that there may be bias in diagnosis.

- Funds for services to the learning disabled child are grossly inadequate to meet the needs of the 2% to 15% student population who are likely to be so identified.

- Older children with handicapping conditions are often not identified and served. This is particularly true for those with learning disabilities resulting in school failure, and for those with emotional disturbances resulting in behavior problems in school. Today, these children are often excluded from school at age 16 rather than referred to Committees for the Handicapped for assessment and help.

I. RECOMMENDATIONS CONCERNING THE RIGHT TO APPROPRIATE EDUCATION

1. The state legislature should establish a right to an appropriate education for all students 5 to 21 years of age.

Toward a Right to Compensatory Education

2. The legislature should require school districts to develop appropriate programs for all Pupils with Special Educational Needs (PSEN), utilizing local revenues when compensatory aid does not meet the need.
3. To implement the recommendation that all children needing compensatory education should be so served, all school districts should be mandated to adopt procedures to:
   A. Implement 8NYCRR Section 203.1 (b)(3), requiring diagnosis of all underachieving or failing students to determine "the best procedures to alleviate or remove, insofar as possible the causes of failure or 'underachievement' for each child."
   B. Notify parents of all children meeting PSEN criteria or failing minimum competency exams of their children's education deficiencies and of their entitlement to compensatory education.
   C. Develop a goal-directed educational plan for each student meeting Title I or PSEN criteria or failing minimum competency exams.

4. Funding for Pupils with Special Educational Needs should be expanded to assure no less than a 1.50 weighting for needy secondary students.
5. Additional Title I and PSEN funds should be directed at the secondary schools until such time as school districts are able to provide a continuity of remedial assistance from grade school to high school.

Toward Strengthening Basic Skills

6. School districts should revise their report card format to clearly and simply inform parents of the math and reading competency levels of their children.
7. All urban school districts should be mandated to continue basic reading and math curricula as part of the fundamental secondary-school program. Annual or biennial PEP-type tests should be administered to non-Regents students so that districts can evaluate the effectiveness of these curricula.

Toward Approrpiate Education for Non-English Speakers

8. The state legislature must pass legislation requiring school districts to establish transitional bilingual programs for children of limited English-speaking ability wherever a district has 20 or more children of limited English-speaking ability in any classification. Regulations defining classification would include such factors as grade level and primary language.

Toward Appropriate Education for Disruptive Handicapped

9. The guarantee of P.L. 92-142 (the right to appropriate education until age 21) extends to handicapped students who are disruptive. We, therefore, recommend that whenever a superintendent's hearing determines that a student over 16 is to be excluded from school without alternative educaton, the matter should be referred to the Committee for the Handicapped for review.

Toward Serving Older Handicapped

10. The State Department of Education Child Find Project should focus its attention on identification of older students with handicapping conditions and on the development of appropriate educational programs for secondary students with emotional disturbances, learning disabilities, and other handicapping conditions.

Toward Appropriate Education for Those with Learning Disabilities

11. The state must move rapidly to develop adequate underwriting of costs to provide services to the learning disabled, so as to assure compliance with P.L. 92 - 142 provisions effective 1980.*

*Present state budget recommendations from the Governor for 1978-79 are clearly and vastly inadequate.

12. The state should immediately provide financial incentives for the establishment of selected programs of identification, placement, and service provision to the learning disabled. These programs should determine the frequency, the severity, and the cost of providing individualized programs; should provide school-based services and resource rooms; and should develop strategies for coordination of efforts so as to establish good services which are also cost-effective.

II. FINDINGS CONCERNING SCHOOL DISCIPLINARY PROCEDURES

We looked for evidence of disciplinary policies and examined the discipline practices used by New York State school districts. We were particularly concerned with the effect those practices had on the provision of instruction to all children in school, disrupters and non-disrupters alike, and on the methods used to compel compliance with the compulsory education laws.

We found that:

- Discipline policies differ significantly from district to district, and from school to school within districts. Yet, codes of discipline are often not available to parents and students; when they are available, seldom do they specify the possible punishments for particular prohibited actions, or define the students' rights.

- Students often did not understand or accept the disciplinary practices. 16% of the dropouts we interviewed felt school discipline to be arbitrary and irrational and did not believe that their concerns or suggestions would, or could, affect policy formation.

- The New York State Department of Education has not followed the example of various other state departments in developing a model disciplinary code for all school districts. Yet, school districts clearly need assistance in developing disciplinary codes.

Excessive dependence on suspension as punishment for a broad and ill-defined set of acts is common practice. 33% of the 66 districts reviewed by the Office of Civil Rights Survey of 1975-76 suspended over 18% of their secondary school population on a short-term basis. Minority students were suspended in disproportionate numbers in major upstate cities. We found that suspensions often leave students angry and alienated. Suspensions seldom remove problems, but often create new ones.

- Large numbers of suspensions in New York State were for non-violent acts such as insubordination and truancy.

- Although Section 3214 of State Education Law permits only superintendents, school boards, and principals to suspend students from 1 to 5 days, 43% of the principals we interviewed told us that they delegate this power to other school officials -- in violation of the law. We believe the delegation of this power results in far greater numbers of actual suspensions than

there would be were there full conformity to the provisions of the state law.

- Section 3214e of New York State Law provides for immediate alternative education during the suspension of students under the compulsory attendance age. 70% of the principals interviewed violate that provision.

- Long-term suspensions frequently result in loss of credit for a year. Many students never return to school. We find it strange that the state law places neither a lower limit on the age at which a child may be long-term suspended, nor a limit on the length of the suspension.

- Long-term suspension hearings are held either by the superintendent of the school district or by his appointee from within his staff. This arrangement does not provide for impartiality.

- Involuntary transfers to significantly different types of academic programs result in large numbers of dropouts in some cities. While the effects of disciplinary transfers are often more severe than are those of suspension, state and local regulations do not provide for the due process hearings in transfer cases. (In other states, court actions have held that due process is required in transfer issues.)

- Many schools are implementing in-house suspension. Experience throughout the country has demonstrated that in-school suspension programs which provide counseling and assignments can:

- Substantially reduce suspension;
- Help students keep up with their studies;
- Diagnose underlying problems resulting in disruptive behavior; and
- Make appropriate program adjustments and provide counseling to address underlying problems.

School systems are in need of guidance on the development of positive alternatives to suspension, and particularly on in-school suspension programs. The absence of a State Education Policy Statement advising school districts of the applicability of Section 3214 provisions to in-house suspensions has resulted in violations of due process and of other legal safeguards.

- Corporal punishment persists in three-out-of-four school systems in New York State.*

- Corporal punishment can be physically and psychologically harmful.

Present Penal Law, which permits "teachers to exert force, but not deadly force, to maintain order," makes it difficult for parents to secure redress when their children have been physically abused.

- Two-thirds of absences in urban high schools may be attributed to truancy.

- Attendance functions are generally performed by understaffed attendance departments. Although classroom teachers have strong, direct relationships with the students, these teachers are often not involved in resolving truancy problems.

*Extrapolated from a random sample of corporal punishment practices.

-40% of the principals we interviewed suspend for truancy. This procedure appears irrational and is possibly illegal as truancy is not mentioned as grounds for suspension under Section 3214

- Students who are truant often require special counseling and social service assistance beyond the resources of the school system, yet few of these services are provided to them.

- PINS petitions, used as the effort of last resourt to secure compliance with compulsory attendance laws, were felt to be ineffective in the most serious cases. In many cases, neglect proceedings against parents are more appropriate.

- A change in the state-aid formula from an attendance-base to an enrollment-base might result in an increase in efforts to reduce truancy and dropout rates.

II. RECOMMENDATIONS TO ESTABLISH RATIONAL DISCIPLINARY PROCEDURES

13. The State Regents should appoint a commission to formulate a discipline code to serve as a model for the school systems of the state. Such a code should address disciplinary procedures and should include examples of disciplinary alternatives, sample materials for distribution to students and parents, and sample in-school suspension programs.
14. The State Department of Education should immediately print and distribute sufficient copies of the Guidelines for Students Rights and Responsibilities to reach all secondary students in the state.
15. School principals must inform students and parents, at the point of suspension, disciplinary transfer, voluntary or involuntary withdrawal, of their rights to due process review. Such notification should be written and verbal, and should specify the free legal or lay advocacy assistance available to the student.
16. School regulations should be reviewed regularly with the student government-body, and students should be encouraged to participate in planning groups of parents, faculty, and principals to make needed revisions and to develop new programs to reduce school discipline and truancy problems.
17. Immediate steps must be taken to insure that written codes of discipline, including due process steps and alternative forms of discipline are explained to students through one or both of the following: 1) introductory programs to new students, and/or
    2) social studies curriculum on rights and responsibilities of citizenship.

Toward Reduced Reliance on Suspensions

18. The Commissioner of Education should enforce the provisions of Section 3214 mandating that suspension be instituted by the principal or his superior, and stating that delegation of the power to suspend is not permitted.

19. Alternative education must be provided to all students excluded from school on short- or long-term suspensions, in accordance with Section 3214e. Suspended students shall be permitted to take all exams and complete all course work during the suspension period.
20. School districts should adopt policies providing for in-school suspensions. We believe the following to be minor acts of disruption which should not result in send-home suspensions:

    Truancy and excessive tardiness
    Insubordination
    Smoking, unless prohibited for both faculty and students
    Disrespectful behavior
    Profanity, or verbal threats
    Minor fights
    Possession of alcohol
    Minor theft and vandalism

We believe the following acts to be acts which may warrant short-term suspension from school:

    Distribution or sale of drugs and alcohol within the school
    Extortion, theft, serious vandalism
    Serious fights
    Assault
    Drunkenness

21. Long-term suspensions should be limited to those students who are clearly not handicapped, and to children over ten years of age. Children who are handicapped, as covered by P.L. 94-142, must be provided with appropriate education. Children under 10 who are so disruptive as to present serious classroom management problems should be referred for assessment by the Committee for the Handicapped.

    Long-term suspensions should be recommended only when the student has engaged in persistent misconduct of a serious nature over a substantial period of time in violation of specific published standards of student conduct, or when all regular classroom counseling alternatives within the school have been explored, or when the student's continued presence in the classroom presents a clear and continuing danger of physical harm or substantial disruption of the education process.
22. To insure an impartial suspension hearing, we recommend that the hearing officer be neither an employee nor a resident of the district.
23. The Commissioner of Education must develop regulatory guidelines to assure that the protections guaranteed in Section 3214 apply to students receiving either in-school or out-of-school suspensions.
24. The state should significantly increase its authorization of state ESEA Title IV C funds for alternatives to suspension to assure that

in-school suspension programs do not become holding pens, or worse, and that there be funds for the provision of counseling services. (In 1977, a mere $60,000 was allocated to this program.)

25. We urge school districts to actively encourage local social services agencies to provide services within the schools, both during and after school hours, so as to expand the ability of schools to address the social service and counseling needs of their students.

Toward an End to Publicly-Condoned Child Abuse

26. Corporal punishment should be abolished in school districts throughout New York State. We urge:
    A. Local school boards to prohibit corporal punishment in their districts.
    B. The Regents and Commissioner of Education to promulgate regulations prohibiting corporal punishment in schools throughout the state.
    C. The State Legislature to revise the Penal Code Law 3510 to eliminate the exemption for teachers under the assault provisions while still permitting physical intervention for restraint.

Toward Improved School Attendance

27. School boards, the superintendent, principals, and administrators must establish the clear responsibility of the school administrators and classroom or homeroom teachers to make telephone contact with the child's home during any absence where truancy is suspected. Both school administrators and homeroom teachers should be evaluated, in part, on actual attendance, as related to expected attendance, for the students in their charge.
28. Truancy should not be dealt with by out-of-school suspension, but by in-school counseling, evaluation of academic problems, and by the developement of an intensive "hands-on" program.
29. School districts should seek to reduce their dependence on the Family Court's PINS petition to compel school attendance by developing programs which combine community mediation techniques with social service provision. School districts must develop such programs in coordination and cooperation with community agencies.
30. Any new state aid formula based all or in part on enrollment rather than average daily attendance must incorporate mandates for utilizing increased funds to reach and serve high-risk, truant, and dropout populations.

III. FINDINGS CONCERNING ILLEGAL EXCLUSIONS

There is a pervasive pattern of school pushouts of over-16-year olds. - We saw evidence of substantial violation of the over-16-year old's

right to a fair hearing before being excluded from school.

- "Pushout" procedures (recommending withdrawal or illegally excluding) were used by 45% of the principals we interviewed.

- 21% of the dropouts we talked with stated they had left because they had been, or soon would have been "kicked out," yet long-term suspension hearings (the only legal way to deny an education) appeared to be rarely used within our sample of dropouts.

- 60% of the principals felt they had the authority to refuse re-admission to students who had dropped out, although the state law provides all students with a right to education until age 21.*

III. RECOMMENDATIONS TO PROTECT THE RIGHT TO EDUCATION EDUCATION FOR STUDENTS OVER 16

31. Boards of Education should review local school district practices regarding dropouts and should formulate clear policies for voluntary termination of education. Such policies include the requirement for:
    A. Notification to parents and an opportunity for a parental conference.
    B. A signed statement by the student giving reasons for leaving.
    C. Verbal and written explanation of the right to a fair hearing before removal from the school.
    D. An explanation (written and verbal) of the student's right to return voluntarily at any time until the age of 21.
    E. Notification of alternative programs or services available.
32. Disciplinary transfers should be issued only by the superintendent upon the recommendation of a principal. Such recommendation should be formulated only after principal-consultation with students and parents, after all other alternatives likely to be helpful have been tried, and when the placement offered will be equal to that from which the student is transferred. The student receiving a disciplinary transfer should have the right to request a fair hearing within ten days of notification from the superintendent of his decision to transfer; the student should not be transferred without parental permission prior to completion of that period. (We urge legislative action on this issue.)

IV. FINDINGS CONCERNING IMPROVING THE ABILITY OF SECONDARY SCHOOLS TO PROVIDE A HUMANISTIC ENVIRONMENT WITHIN WHICH STUDENTS CAN LEARN AND GROW

- In our interviews, 61% of the dropouts expressed strong feelings about the lack of individualization and caring. They equated good teachers with caring teachers, and felt that their teachers appeared not to care about either their academic or personal problems. Many reported that they were unwanted, and were told as much by faculty members.

*Only students over 16, on long-term suspension, are exempted from that right.

- Recent studies indicate that it is difficult, if not impossible, to personalize large (over 1500 students) schools. These institutions breed the disaffection in faculty and students which indirectly accounts for much of the vandalism and disciplinary problems. There is simply no way that the less-talented students will be noticed and encouraged in such environments. The most striking feature of alternative school situations is their small size, which allows for individualization and flexibility.

- Teachers are not adequately prepared in classroom management and discipline. Few courses on this topic are offered in teachers' colleges or on the job.

- Social service provision in our school systems is grossly inadequate to the task at hand. Community social service agencies are not integrated fully into the provision of needed in-school services.

IV. RECOMMENDATIONS TO IMPROVE THE ABILITY OF OUR SECONDARY SCHOOLS TO PROVIDE A HUMANISTIC ENVIRONMENT WITHIN WHICH STUDENTS CAN LEARN AND GROW

33. The state Regents must take immediate steps to insure that all student teachers have courses in classroom management and discipline -- prior to graduation.
34. School districts must develop a range of alternative programs to better meet the needs of individual students. While we realize that our communities have major investments in their present plants, we urge them to create mini-schools complete with separate administrators within these plants, and also to provide separately-housed alternative programs.
35. We recommend that school superintendents and boards of education:
    A. Work closely with parent groups and community organizations to foster peer-pride in school achievement and attendance.
    B. Require that secondary schools provide for routine individual conferences with students and parents to praise accomplishments, as well as to call attention to problems.
    C. Set a tone for school personnel which emphasizes that every child has a right to be in school.
36. Each teacher and school administrator must accept the responsibility of assuring that no child is "written off." Teachers and administrators should be warned that it is unprofessional and counter-educational to encourage, through action or statement, early withdrawal from school. Children with problems are worth intensive effort.
37. School districts must actively encourage social service agencies to supplement school social services by providing counseling services

and special programs within the school building, both during and after school hours. Communities should no longer tolerate the artificial divisions between community and school: the schools must be required to open their doors to professionally-competent community-based social services.

V. FINDINGS CONCERNING THE INADEQUACY OF STATE MONITORING IN AREAS OF DISCIPLINE, ACHIEVEMENT, AND DROPOUT PREVENTION

- The State of New York does not monitor the disciplinary practices of school districts or their adherence to state and federal laws and regulations on disciplinary practices. The only figures gathered on suspension or corporal punishment are those requested by the Office of Civil Rights of the Department of Health, Education and Welfare, in the Elementary and Secondary School Civil Rights Survey. Unfortunately, that survey covered only 66 of the over 700 New York districts. The lack of good statistics makes it difficult to identify those districts and schools which need special assistance.

- The dropout figures on local school districts available through BEDS (The Bureau of Educational Data Systems) are often grossly inaccurate, making it difficult to identify trends. There is great variation in the definition of dropout, both within and among districts. There is also an absence of racial data on dropouts.

- Programs of compensatory education and bilingual education are inadequately evaluated by the State Department of Education. This is due, in part, to the lack of adequate financing of these functions. The end result, however, is that the state is not able to play a strong role in insuring that the state and federal funds pay for programs which work.

- The State Pupil Evaluation Program is no longer mandated for 9th grades. It was replaced in 1976 by a state Minimum Competency Exam. Yet there is continuing need for PEP tests in the high school, so as to assure continued understanding of the declines or improvements of our educational system.

V. RECOMMENDATIONS CONCERNING THE INADEQUACY OF STATE MONITORING IN AREAS OF DISCIPLINE, ACHIEVEMENT, AND DROPOUT PREVENTION

38. The BEDS annual data form should include a question on numbers of suspensions and disciplinary transfers, length of suspension, incidence of coporal punishment (including the name of the person administering the punishment and names of witnesses), and race and grade of punished student.
39. Additionally, BEDS must significantly strengthen its gathering of

dropout information by specifying who is to be counted as a dropout and requiring that the figures submitted be in accord with this definition. (Specific recommendations may be found in Chapter One.)

40. The State Education Department of Compensatory Education must be budgeted to perform a more effective monitoring and evaluation function for Title I and PSEN programs, and bilingual and English-as-a-Second Language programs. PEP tests should be reinstated for 9th graders.

LEGISLATION

A copy of a bill introduced into the New York State legislature is included in Appendix K.

EPILOGUE

Our report has documented the failure of secondary schools to serve and to hold large percentages of their student populations. It is not so much that schools are less able than they were in the past, but that the demands and needs of our society today are greater.

The high school, an institution developed primarily to serve the middle class and to prepare its members for white-collar jobs and higher education, is now required to accept and educate the poor, the academically-lagging, the non-English-speaker, and the handicapped. As, indeed, it must. No modern industrial society can afford the burden of an annual inflex of significant numbers of semi-literate and unskilled teen-agers into the job market.

As the demands on the schools have changed, so have the demands on the teachers. Many teachers and administrators are ill-prepared for working in a multi-racial, multi-class school. Some are quite conscious of their desire to rid themselves of the burden by removing whole groups of the students. As one teacher said, "There ought to be two schools: one for those who want to learn and one for those who don't." These kind of culture and class confrontations have produced hostilities leading to repressiveness and oftentimes unsympathetic handling of students.

It is the marginal students and the potential dropouts who are most affected by an environment which they perceive as unresponsive to their needs. The dropouts we interviewed asked for caring teachers and for schools which would prepare them for jobs. Large institutions foster impersonality making it difficult for faculty and students to be caring and creative in their teaching and learning tasks. Schools have yet to truly accommodate themselves to the curricular needs of those students who see their education as preparation for employment. When the children need increased individualization and increased choice in educational settings, the schools respond predominately by pressing students into the existing institutional patterns or by encouraging them to leave. The larger the facility and population, the greater the need to retain order by imposing disciplinary sanctions.

Clearly, there is hope in the development of the alternative-school movement, but too often school districts are wedded to over-sized school facilities and inappropriate programs. The combination of decreasing school populations and large existing facilities is likely to exacerbate the problem of providing appropriate and varied alternatives. Even now the alternatives are frequently too few and too late.

Schools, like other major institutions, are exceedingly slow to respond to the needs of a changing society. Change will come only if pressure is exerted from within the institution by teachers and administrators, and from the community by parents and by advocates. We hope that our recommendations will provide a focus for those who advocate for more effective and more humane schools.

FOOTNOTES

Chapter One

(1) Letter from Raymond Cotroneo to Margery F. Rosen July 13, 1977.

(2) The Fleischmann Report on the Quality, Cost and Financing of Elementary and Secondary Education in New York State, Volume I: Viking Press; New York, 1972. passim.

(3) Anita Summers and Barbara L. Wolfe, "Which School Resources Help Learning," IRCD Bulletin, Volume XI Number 3. Summer 1976.

Violent Schools - Safe Schools: The Safe School Study Report to The Congress, Executive Summary; The National Institute of Education, 1978. p 5. (We have used the illustrate issue of the Executive Summary.)

(4) Fleischmann Report, Volume II p. 66.

(5) Violent Schools - Safe Schools, p. 11.

Chapter Two

(1) Charles E. Silberman, Crisis in Black and White: Vintage Books; New York, 1970. p. 62.

(2) New York State Pupil Evaluation Program School Administrator's Manual: University of the State of New York, State Education Department; Albany, February 1976. p. 1.

(3) Nat Hentoff, Does Anybody Give a Damn?; Alfred A. Knopf, 1977. p. 237.

(4) Thomas Sowell, "Patterns of Black Excellence;" The Public Interest Quarterly, Spring 1976.

(5) Carol S. Dweck and N. Dickon Reppucci, "Learned Helplessness and Reinforcement Responsibility in Children:" Journal of Personality and Social Psychology; 1973 Volume 25, No. 1. p. 110.

(6) Karen Harvey and Lowell Horton, "Bloom's Human Characteristics and School Learning:" Phi Delta Kappan; November, 1977. p. 190.

(7) Benjamin S. Bloom, "Affective Outcome of School Learning:" Phi Delta Kappan; November, 1977. p. 197.

(8) Suspension and Expulsions CURRENT TRENDS in School Policies and Programs: A publication of the National School Public Relations Association, 1976. p. 13.

Chapter Three

(1) George A. Gallup, "Seventh Annual Gallup Poll of Public Attitudes Toward Education:" Phi Delta Kappan; December, 1975. p. 227 - 241.

(2) Statement of Irving Anker, Chancellor, Board of Education of New York City, House Sub-Committee on Economic Opportunity hearings regarding School Violence and Vandalism, January 24, 1978.

(3) Statement of John M. Rector, Administrator, Office of Juvenile Justice and Delinquency Prevention.

(4) John Nickel, "The Confrontation Meeting:" Clearing House; April, 1976. p. 358-60.

(5) Daniel Linden Duke, "Management Plan for School Discipline:" NASSP Bulletin; January, 1977. p. 8.

(6) Goss v. Lopex, 419 U.S. 565 (1975).

(7) Everett v. Marcase, 426F Supp. 397 E.D.Pa. (1977).

(8) Violent Schools - Safe Schools, p. 5.

Chapter Four

(1) School Suspensions, Are They Helping?: Children's Defense Fund of the Washington Research Project, Inc., 1975. passim.

(2) ibid. p. 13.

(3) Discipline Practices in the Hillsborough County Public Schools: Florida School Desegregation Consulting Center; University of Miami, Florida.

(4) Letter to Chancellor Irving Anker from the Regional Office of Civil Rights, January 1978.

(5) Goss v. Lopez, 419 U.S. 565 (1975).

(6) Turner v. Kowalski, 374 N.Y.S.2d 133 (2nd Dept. 1975).

(7) Guidelines for Student Rights and Responsibilities: University of the State of New York; Albany, N.Y. p. 32.

(8) M. Hayes Mizell, Designing a Positive In-School Suspension Program, AFSC, Southeastern Public Relations Report.

(9) ibid. p. 2.

Chapter Five

(1) Looking Ahead in New York City - Truancy in New York City's Public Schools: Economic Development Council of New York City, Inc.; October, 1977.

Kenneth Wooden, Weeping in the Playtime of Others: McGraw-Hill; New York, 1976. p. 62.

(2) Editorial in Rochester Democrat and Chronicle, March 13, 1978.

(3) Children Out of School in America: Children's Defense Fund, 1974. p. 62.

(4) What Happens to Children Out of School, Community Council of Greater New York. p. 15.

(5) Monitoring: Attendance in New York City's Public Schools: Community Council of Greater New York; June, 1975. p. 4.

(6) Quoted in Weeping in the Playtime of Others, p. 62.

Chapter Six

(1) Goss v. Lopez, 419 U.S. 565 (1975).

Chapter Seven

(1) 8NYCRR Section 203.1(b)(3).

(2) O'Connor v. Donaldson 422 U.S. 563 (1975).

(3) 20 U.S.C. Section 241.

(4) Letter to Eve Block from Richard Weiner, Director, Division of State Education Opportunity Programs. November 18, 1977.

(5) Lau v. Nichols 414 U.S. 563 (1974).

(6) Letter to Chancellor Irving Anker from the Regional Office of Civil Rights, January 1978.

(7) Edward B. Fiske, "New York School Reading Levels Still Low:" New York Times; January 11, 1978. p. 1.

(8) Letter to Chancellor Anker.

(9) 8NYCRR Section 200.1(d)(4).

(10) "Regents' Priority Statement," 1978-79. p.3.

APPENDICES

APPENDIX A: Interview Forms used with Dropouts and School Administrators

APPENDIX B: Interviewer Training and Data Analysis

APPENDIX C: Comparison of Dropout Figures as Reported by the Central Office (CO), OCR and BEDS (Select Districts During 1975-76 School Year)

APPENDIX D: A Comparison of Dropout Figures as Reported by BEDS and the Central Office (CO): Lackawanna, Schenectady, Binghamton, and Poughkeepsie

APPENDIX E: Statewide Youth Advocacy Project Dropout Questionnaire and Sample Answers

APPENDIX F: The Issue of Transfers to Evening School

APPENDIX G: Method used in Calculating Adjusted Holding Power and Average Annual Mobility Rates

APPENDIX H: Changes in the Population Characteristics of Selected School Districts from 1970 to 1975 and School Enrollment Figures by Racial/Ethnic Group for Academic Years 1970-71 through 1975-76: Buffalo, Rochester, Syracuse, and Yonkers City School Districts

APPENDIX I: Unadjusted Holding Power Figures by Racial/Ethnic Group for Selected Districts: 1974 through 1976

APPENDIX J: Three Alternative Programs Aimed at Meeting the Needs of Different Populations: World of Work, Washington Irving Living Center, and Alpha Community School

APPENDIX K: Bill Introduced into the New York State Legislature on the Issue of Transfers

APPENDIX L: Comparison of Total Number of Dropouts and Suspensions by Secondary School for the Districts Included in the Office of Civil Rights 1977 Sample (For School Year 1975-76)

APPENDIX M: Copy of Albion Central School District In-School Suspension Program and of PASS: A Federally Approved Program

The questionnaires reproduced here are indentical to those used by the interviewers, except that we have eliminated the blank spaces which had been left to accommodate the answers. The directions within the parentheses were guides to the interviewers, as were the instructions to refrain from "leading" the respondents. Carefully planning the order of questions, we began with requests for specific non-threatening kinds of data and we sequenced the questions to avoid shaping the nature of the responses by the order in which the questions were asked; i.e., we asked the students why they had left school long before the discussion of teachers, truancy, and suspensions, etc. Asking redundant questions was a deliberate strategem to test for internal validity. If a dropout's answers were not reconcilable, the questionnaire was excluded from the study. When an administrator's answers were internally inconsistent: 1) we categorized the appropriate answer if the nature of the answers pointed specifically toward the one which more accurately represented the actions or policies of the district or school or, 2) we categorized the specific questions as "unclear." Further discussion of the interpretation process used will be found in Appendix B.

STUDENT QUESTIONNAIRE

1. How old are you?

2. How old were you when you started 7th grade?
   a) Where did you start the 7th grade; i.e., what school?
   b) Did you stay in the same school for 7th and 8th grade?
      Yes (Skip to #3) No
   c) If No, what other schools did you go to? (7th and 8th grade only, in sequence.)
   d) Why did you change schools? (7th and 8th grade only.)

3. How old were you when you started 9th grade?
   a) Where did you start 9th grade?
   b) Did you go to more than one high school?
      Yes No (Skip to #4)
   c) If yes, which ones did you go to? (In sequence, also indicate how long the student stayed in each school.
   d) Why did you change high schools? (Indicate the reasons for each change.)
   e) Did you ever change schools because the principal had requested your transfer?
      Yes No (Skip to #31)
   f) What had you done at school, so that the principal requested that you leave? (Try to get a specific description of the problem.)
   g) What did you feel about being transferred? (Do not feed the student alternatives. Let him take his time and answer.)
   h) Did you like the new school you were transferred to?
   i) Why, what did you like (dislike) about it? (Try to get a specific description of what the student liked or disliked, but do not feed alternatives. If the student was transferred many times, get impressions of each school, indicating which impressions go with each school.)
   j) Did your mother or father ever go to school and object to your transfer?
      Yes No (Skip to #31)
   k) If yes, what did the principal say?
      (Skip to question #4)
   l) Did you request to change schools?
      Yes No, we moved (Skip to #4)
   m) If yes, why did you want to change schools? (Get details)

n) Did you like the new school?
o) Why? What did you like (dislike) about it? (Try to get a specific description of what the student liked (or disliked, as appropriate), but do not feed alternatives.)

4. Did a principal, vice principal, or dean ever tell you that they didn't want you in their school anymore?
   Yes No (Skip to #5)
   a) If yes, how old were you when this happened?
   b) Do you have any idea of why the principal wanted you out? What had you done?
   c) What did you do after they told you this? (i.e., did you stay in school, go to another school, join the army, quit, etc.)

5. When did you leave school for good? (The year.)

6. What grade were you in then? (If the student left after completing a year, indicate the grade completed.)

7. Why did you leave?

8. What did you like the most about school? (Wait) What made those things fun? (List the items liked, along with the reasons for liking each one.)

9. What did you dislike the most? (Wait) Why didn't you like them? (List the items disliked, along with the reasons for disliking each one.)

10. Were there any courses or extracurricular activities that you really liked? (Wait) What did you like about them? (List the items liked, along with the reasons for liking each one.)

11. Did you have any trouble with reading in school?
    Yes No (Skip to #12)
    a) Did you get any special help in reading? In other words, were you taught reading in a smaller, special group?
       Yes No (Skip to #12)
    b) How many kids were in the class?
    c) Did it help, did your reading get better?

12. THIS QUESTION IS APPLICABLE ONLY IF THE STUDENT IS OF HISPANIC DESCENT. (If not, skip to #13.)
    a) Did you have any trouble with the English language when you were in high school or junior high school?
       Yes No (Skip to #13)
    b) Were you in a bi-lingual program?
    c) Did you receive any special help in English?
       Yes No (Skip to #13)
    d) Did the instruction help improve your English?
    e) What kind of special English instruction did you receive?

13. Did you have any trouble with math?
    Yes No (Skip to #14)
    a) Did you get any special help in math?
       Yes No (Skip to #14)
    b) What kind of help did you get?
    c) Did it help? Did you get any better in math?

14. Did your teachers think you were a good student, an O.K. student, or a bad student? (This question is with regard to academic performance.)

15. Did you skip school a lot?
    Yes No (Skip to #16)
    a) About how many times a year wouldn't you go to school at all? (How many days?)
    b) What did you do when you didn't go to school?
    c) Did the school do anything to try to get you to come?
    Yes No (Skip to #16)
    d) What kind of things did they do? (List)
    e) Did it work? Did you stop skipping?

16. Did you skip CLASSES a lot?
    Yes No (Skip to #17)
    a) Were there any particular classes that you skipped?
    Yes No (Skip to #17)
    b) Why did you skip those classes, any particular reason? (List reasons)

17. Did you get into much trouble in school?
    a) If yes, what kind of things did you use to do?

"We're going to ask you a lot of questions about discipline. We want to understand what went on in school."

18. Were you ever assigned to study halls as a form of punishment?
    a) If yes, why? What had you done?

19. Were you ever assigned to detention (i.e., did you have to stay after school?) as a form punishment?
    a) If yes, why?

20. Were you ever taken aside and hit by a teacher, dean, principal, or coach in front of a witness as a form of punishment? (i.e., a formal corporal punishment scene.)
    a) If yes, why?
    b) If yes, how many times did this happen?

21. Were you ever physically shaken up by a teacher, dean, etc.?
    a) If yes, what happened?

22. Were you ever told to stay after school and clean up (i.e., wash walls, floors, etc.) as a form of punishment?

23. Were you ever assigned increased homework or asked to write sentences such as "I won't talk back," one thousand times as a form of punishment?
    a) If yes, was that in elementary school, junior high, or high school?

24. Were you ever told to sit in an office or hall as a form of punishment?
    a) If yes, were you waiting to see someone, or just sitting?

25. Were you ever suspended from school?
    Yes No (Skip to #49)

26. About how many times were you suspended?

27. About how long were you suspended each time? A couple of days, a week, longer?

28. Were you ever suspended for more than a week?
    a) If yes, how long?

29. Were you always told why you were suspended?

30. Who told you that you were suspended?

31. (VOID)

32. Do you remember the reasons why you were suspended? (Don't list. However, possible reasons for suspension are truancy, insubordination, selective attendance, possession or sale of drugs, fighting, possession of firearms, false alarms.)

33. When you were in high school, did you live with your mother, father, or both parents?

34. Was your (mother, father, parents) notified by the school that you had been suspended?
    a) If yes, was (he, she, they) told by phone or letter?

35. Did your (mother, father, parents) have to go to school with you for a conference before you could go back?
    a) Did (he, she, they) have to go every time?
    b) Do you remember how many times they went? (Indicate number)

36. Do you know what a long-term suspension hearing is?
    Yes No (IF THE STUDENT HAS EVER BEEN SUSPENDED FOR MORE THAT FIVE DAYS, DESCRIBE A LONG-TERM SUSPENSION HEARING. HOWEVER, IF THE STUDENT HAS NEVER BEEN SUSPENDED FOR MORE THAN 5 DAYS AT A TIME, SKIP TO #46.)

    DESCRIPTION: "If you're suspended for more than 5 days at one time, you're entitled to a hearing, which is something like a trial. You can bring a lawyer, witnesses of your own choosing, or a lay advocate. The purpose of the hearing is to decide if you are guilty or innocent of the charges and what the penalty should be, if you are found to be guilty as charged."
    a) If Yes, how did you find out about it?

37. Have you ever had a long-term suspension hearing?
    Yes No (Skip to #46)

38. If yes, who was with you at the hearing?

39. Did a lawyer or lay advocate go with you?

40. Did you know that you had the right to a lawyer?

41. If Yes, how did you know?

42. While you were waiting for the hearing, did you have any tutoring, or instruction of any sort?

43. If yes, what type was it?

44. How long were you out of school before the hearing?

45. What was the decision of the hearing?

46. Were you ever assigned to home tutoring, instead of attending regular day school?
a) If yes, why and for how long?

47. What did being suspended mean to you?

48. You said before that you were suspended for___; did being suspended change that behavior?

48A) When you went back to school after a suspension, were you ever told that you could only come half days for the first couple of days (weeks)?
Yes No

48B) When you came back were you ever assigned to increased study halls when you first came back after a suspension?
Yes No

49 Did you have a guidance counselor?
Yes No
49A) About how many times did you see your counselor?
49B) When you saw your counselor, what did you talk about?

50. Describe the kind of teacher you like. (It may help to think of a teacher you really liked and describe the kind of things she/he did)
(Try to get a good idea of the characteristics of a good teacher as perceived by the student)

51. Describe the kind of teachers you dislike. What kind of things do they do?

52. Do you think that most of your teachers liked you?

53. What kind of students do you think the teachers liked best?

54. What were you like in school? What was your behavior like?

55. Did you ever get in trouble at home because of the way you acted at school?
Yes No
55A) If YES, what would happen?

56. When you left the last school you attended, did you have a final meeting with the principal where you had to return any books, locker keys, etc.
Yes No
56A) If YES, at this meeting did the principal try to change your mind about leaving?
Yes No
56B) Did he give you any advice about how to find work or about any special programs?
Yes No
56C) Did any one at school give you an employment certificate (i.e. work permit)?
Yes No

57. Imagine that you're a principal-setting up your own school: What would your IDEAL school be like?
   57A) What would its goals be?
   57B) What would the teachers be like?

58. If kids between the ages of 12 and 16 didn't have to go to school, what do you think they'd do? (play sports, get in trouble, watch T.V., turn to drugs, etc.)
   58A) What kind of things would the kids learn? (Try to get very specific descriptions of what they would learn)

59. What kinds of things have you done since you left school?
   59A) Have you worked?
      Yes No
   59B) If YES, what kinds of jobs have you done?
   59C) Have you ever been on welfare?
      Yes No
   59D) Have you gone back to school at all? (any school) Where?
   59E) Did you ever try to go back to high school?
      Yes No
   59F) If YES, what did they say to you at school?
   59G) Did they let you go back?
      Yes No
   59H) If you went back, what was it like?
   59I) Did you take the high school equivalency exam?
      Yes No
   59J) If NO, do you plan to take it soon?
      Yes No

"WE'RE GOING TO ASK YOU A FEW QUESTIONS ABOUT YOUR FAMILY"

60. How many brothers and sisters do you have?
   60A) Are you the oldest, youngest, etc.?
   60B) Have any of your brothers or sisters left school?
      Yes No
   60C) When you were in junior high or high school did you ever have to stay home often to take care of younger brothers or sisters?
      Yes No
   60D) If YES, about how many times (days) a year would you have to stay home?

61. When you were in junior high or high school was your family having any serious problems which upset you?
      Yes No

62. Did your father graduate from high school?
      Yes No

63. Did your mother graduate?
      Yes No

64. When you were in junior high or highschool was your (mother, father, parents) on welfare?
      Yes No

65. Do you think education's important?
Yes No
65A) Why?

The following questions were not included on all questionaires.

66. Could the school have done anything different so that you wouldn't have left?
Yes No
66A) Comments:

NOTE TO INTERVIEWER: If the student was not suspended, skip questions 67-71. Go directly to question 72.

67 "Let's go back to something we talked about before. We're very interested in what happened to you while you were out on suspension."
What did you do while you were out on suspension?

68. How did being suspended make you feel about yourself?

69. How did being suspended make you feel about school?

70. How had you felt about school before you were suspended?

71. Do you think that suspension was the right way to handle your behavior or was there something else the school could have done? (i.e. something else besides suspending you)

72. NOTE TO INTERVIEWER: At this point ask yourself "Do I really understand why this student left?" If the answer is no, then ask any additional questions you deem fit so that you can try to gain a clear idea of his reasons for leaving. Add this information as Comments at the end of the summary sheet.

DIRECTOR: ATTENDANCE DEPARTMENT

Director_____ Interviewers (1)_____

School District_____ (2)_____

Date_____

QUESTIONS

1. How many attendance officers does your district have?
   a) If YOUR DISTRICT HAS NO ATTENDANCE OFFICERS, describe how the department operates.

2. How many children are serviced by your department?

3. How many schools are assigned to each attendance officer?
   a) On the average, how many days per week do your officers visit each assigned school?

4. How truant does a student have to be before your office takes action?

5. What is the normal procedure that you follow in trying to curtail truancy?

6. Is your treatment of a truant different as a function of age? (i.e., is your course of action different with a truant who is 13 versus one who is almost 16? Yes No
   a) If Yes, describe:

7. What other agencies do you work with in an attempt to give more ample assistance to your clients? (Describe the nature of assitance provided by each social agency.)

8. Do you file PINS petitions (Persons In Need of Supervision)? Yes No
   a) If Yes, under what circumstances do you make such recommendations? (i.e., for what type of problems?)
   b) Has there been an increase, decrease, or no change in the number of PINS petitions filed annually during the past 4 years?
      increase decrease no change
   c) If there has been a change, to what do you attribute this?
   d) Do you belive that PINS petitions are an effective means of curtailing truancy? Yes No
   e) Rationale:
   f) Are you more or less likely to file a PINS petition on a child who is 13, or ALMOST 16, everything else being equal?
      13 16 no difference
   g) Rationale:

9. Do you file 22-21 forms (Abuse and Neglect)? Yes No
   a) If Yes, has it been your experience that filing 22-21 forms is an effective means of curtailing truancy? Yes No
   b) Rationale:
   c) Are you more likely to file a 22-21 on students who are 13, or almost 16, everything else being equal?
      13 16 no difference
   d) Comments:
   e) Do you file more 22-21 forms or PINS?
      22-21 PINS
   f) Rationale:

10. What type of rapport does the Department of Attendance have with Family Court? (For example, are they very responsive to handling your PINS petitions?)
    a) Why is the rapport good or bad?

11. What type of affiliation do you have with the Police Department?

12. What type of affliation do you have with the Department of Social Services?

13. How many informal conferences did you hold with individual parents at central office last year (1975-76). (Normally, a distinction is made between conferences held in the school or home visits, and conferences held at the Department of Attendance. What is requested here is the number of conferences at the Department of Attendance.)
    a) What percentage of these conferences were with habitual truants? (i.e., with truants who come from families who have had numerous children referred to your department across the years.)
    b) What percentage of these conferences (approximation) were concerned with problems of selective attendance (skipping)?

c) Approximately, what percentage of these conferences concerned the truancy of elementary-age children?

14. In your estimation, what is the typical profile of a truant child?

15. How effective are you in curtailing truancy? (Approximate % success.)

16. Do you believe that the present system could be amended to more effectively deal with the problems of truancy? DESCRIBE.

17. Do you have any special programs aimed at reducing the truancy of pregnant mothers or students with young infants? DESCRIBE.

18. Have there been cutbacks in the size of your staff during the past 4 years?

Yes No

a) If Yes, what has been the effect of this cutback on your ability to curtail truancy?

19. What type of attendance figures are the schools required to report to you each year?

REQUESTS:

1. Number of PINS petitions filed annually during the past 4 years and their dispositions?

2. Number of 22-21 forms filed annually during the past 4 years and their dispositions?

3. Number of informal conferences held at the Department of Attendance with individual families (past 4 years)?

4. Number of contacts with Family Court over individuals or families during the past 4 years?

5. A.D.A. (Average Daily Attendance) past 4 years? - High Schools and junior high schools (by school)?

6. Number of students transferring into and out of the district (past 4 years) and number of students transferring from public to private (parochial) schools and the reverse (private to public)? (Secondary & elementary) should these be broken down?

PRINCIPAL

Principal _____ Interviewers (1) _____

School District _____ (2) _____

Date _____

INSTRUCTIONS:

1. Ask the questions in the order given.

2. Make sure that you merely ask the questions, let the interviewee provide the answers.

3. Sometimes in answering one question, the interviewee will provide information that will answer later questions. If and when this does occur, do not bother to ask the corresponding questions when they arise later. Merely record the information in the appropriate space (i.e., to the corresponding question).

4. Do not ask extraneous questions, as this will lengthen the interview greatly.

SCORING:

1. Some of the questions are open-ended, while others are multiple-choice. When multiple-choice answers are provided, circle the answers given. With open-ended questions, record the answer in the appropriate space.

2. Following the interview, the information collected should be immediately transcribed to the summary sheet.

3. All data should be placed in a binder so that they will not be lost.

OPENING STATEMENT:

We would like you to know that we appreciate the real conflicts you face in the area of discipline. We understand that you are constantly having to weigh alternative needs; the rights of the large group of students to an environment in which learning is possible, and the needs of the individuals who disturb that environment with their actions or threats. Sometimes our questions may lead you to think that we are not aware of your problems, so we say at the outset that we recognize the difficulties you must have in making the kinds of decision which face you constantly.

1. Which of the following disciplinary measures are ever taken in your school and WHO INITIATES them?

   1) Assignment to more study halls: Yes No
      A) Initiated by:
      B) Comments:

2) Detention: Yes No
   A) Initiated by:
   B) Comments:

3) Sitting in an office or hall: Yes No
   A) Initiated by:
   B) Comments:

4) Denial of extra-curricular activities: Yes No
   A) Initiated by:
   B) Comments:

5) Corporal punishment: Yes No
   A) Initiated by:
   B) Comments:

6) Disciplinary transfer: Yes No
   A) Initiated by:
   B) Comments:

7) Suspensions: Yes No
   A) Initated by:
   B) Comments:

8) Work detail: Yes No
   A) Initated by:
   B) Comments:

9) Increased homework: Yes No
   A) Initated by:
   B) Comments:

10) Other:

2. Does your school have a program by which you reward students for appropriate school behavior? (The concern here is all school behavior excluding academic achievement.)
   1) Comments: Yes No

3. Does your school have any programs to help chronic misbehaviors? (i.e., special counseling on a continuous basis to increase appropriate behavior.) Yes No
   1) Comments:

4. Do you have any special programs to train teachers how to maintain control in the classroom: Yes No
   1) Comments:

5. What do you believe is the best approach to the school discipline problem?

6. How do you functionally define truancy:
   1) Do you alert the Department of Attendance to particular truancy problems or is that up to the Attendance Officers who come to your school and look at attendance records?

2) If the school alerts the Department of Attendance, how truant does a student have to be before this is done?

7. Is a distinction made between selective attendance and truancy? In other words, when you classify a student as truant does this category include both those students who do not come to school at all and those who come but skip classes? Both Not Both
   1) Comments:

8. Have you ever intiated any PINS (Persons in Need of Supervision) petitions or recommended any to the Department of Attendance? Yes No
   1) What type of problems led you to make such recommendations?

9. Can you estimate how much time normally elapses between the time of a PINS recommendation and a court proceeding? Yes No
   1) Comments:

10. Do you believe that PINS petitions are an effective means of dealing with children who are out of control? Yes No
    1) Comments:

11. If a student is absent frequently, what actions are taken to curtail this (conferences, etc.)?
    1) Is the procedure any different for students who are 16 or older? Yes No
    2) Comments:

12. How would you define insubordination?
    1) Can you give me some typical examples of what is considered as INSUBORDINATION?

13. Which of the following acts are among those for which you suspend students?
    1) Truancy: Yes No
       A) How truant must one be for such a recommendation?
    2) Selective attendance: Yes No
       A) Comments:
    3) Insubordination: Yes No
       A) Comments:
    4) Behavior which threatens bodily harm: Yes No
       A) Comments:
    5) Extortion and theft: Yes No
       A) Comments:
    6) Smoking: Yes No
       A) Comments:
    7) Drugs: Yes No
       A) Comments:
    8) Fighting: Yes No
       A) Comments:
    9) Assault with, or possession of, weapons: Yes No
       A) Comments:
    10) An arrest: Yes No
       A) Comments:
    11) Other:

14. Are there any automatic punishments for certain types of misdemeanors such as fighting, possession of weapons, etc? Yes No
    1) Is the student body informed of this? Yes No
    2) If Yes, how?
    3) Which misdemeanors are followed by automatic suspensions in your school?

15. Who is authorized or delegated to suspend students in your school for five days or less:
    1) Principal Yes No
    2) Vice Principal Yes No
    3) Deans Yes No
    4) Counselors Yes No
    5) Teachers Yes No
    6) Other_____

16. When a student is suspended, how and when is he informed of the charges brought against him?

17. How and when is the parent informed of the suspension and the reasons for it?

18. What is the average length of most of your short-term suspensions?

19. If a parent comes in right away, will the length of the short-term suspension be abbreviated: Yes No
    1) Comment:

20. Will you accept a phone conversation with a parent in lieu of a parent-conference on a short-term suspension? Yes No
    1) Comment:

21. Do you find that you must suspend some students on a short-term basis a number of times during the course of an academic year? Yes No
    1) Comment:
    2) Approximately what percent of your suspended students have received repeated suspensions during the course of a year?

22. Do you hold suspension hearings or conferences on SHORT-TERM suspensions?
    1) Hearings: Yes No
    2) Conferences: Yes No
    3) Under what circumstances are conferences or hearings held (i.e., at parents' request, always as a matter of school policy, etc.)?

23. May a student be accompanied to a short term hearing or conference by:
    1) A counselor Yes No
    2) Attorney or lay advocate Yes No
    3) Witnesses of his own choosing Yes No
       A) Comments:
       B) Is any record kept of the conference? Yes No
       C) In what form?
       D) Have such conferences to your recollection ever resulted in reversing the original decision and expunging the record of the suspension? Yes No
       E) If Yes, under what circumstances?

24. Are students provided with an alternative educational setting during a short or long term suspension?
    1) Short Yes No
    2) Long Yes No
       A) Comments:

25. What procedure do you follow when making a recommendation for a long term suspension?

26. Are you more or less likely to recommend a long term suspension for kids who are almost 16 or older, than you would for kids who are younger (ex. 12)?
    More Less No Difference
    1) If More, why?
    2) If Less, do you make other types of recommendations for the older kids?
    Yes No
    3) If Yes, what are they?

27. When a student is a continuous disciplinary problem what special steps do you take prior to suspension?

28. Are there any categories of students whose parents take longer to respond to your requests to come for a parent conference with reference to a short term suspension? For example, middle-class or lower-class, black or white, etc.

29. When a student returns to school following a suspension do you ever recommend that they initially attend half days instead of full days? Yes No
    A) If Yes, what is the rationale?

30. Do you ever assign a returning student to more study halls? Yes No
    1) If Yes, what is the rationale?

31. Do you have any special re-entry procedures used with kids returning from either short or long term suspensions? Yes No
    1) If Yes, describe:

32. Would you be interested in developing any alternatives to suspensions?
    Yes No
    1) Comments:

33. What are your thoughts on using suspension only in emergency situations?

34. Do you have many students voluntarily requesting to transfer to other schools?
    Yes No

35. Do you make disciplinary transfers? Yes No

36. What types of involuntary transfers do you make? (i.e., disciplinary, adjustment, safety, etc.)
    1) How are these distinguished?

37. What procedure do you follow when making an involuntary or disciplinary transfer?
    1) Are parents notified of the transfer before it occurs Yes No
    A) Comments:
    2) Is a parent's signature necessary before a student can be involuntarily transferred?
    Yes No
    3) Are parent conferences held prior to a transfer
    sometimes always never
    4) If conferences are held is this at the parents' request or as a matter of school policy?
    5) If a parent doesn't want her child transferred, what is the typical outcome on disciplinary transfers?

38. Approximately, what percentage of your annual transfers are voluntary?

39. What per cent are involuntary transfers?

40. Are there certain schools in the district to which you make disciplinary transfers? Yes No
    1) If Yes, which schools do you transfer to and why?
    2) Who decides which school to transfer a student to (disciplinary) and on what basis is this decision made?
    3) Can a principal refuse to accept someone who is transferred to his school as a disciplinary measure? Yes No
    4) Comments:

41. Are you as likely to recommend a disciplinary transfer for kids over 16 as you would for those under 16? Yes No
    A) Comments:

42. When you submit your annual report to the school district on dropouts, how do you define a dropout?
    1) Has this definition changed during the past 4 years? Yes No
       A) Comment:
    2) Are there any groups of students which leave your school who are not considered dropouts? Yes No
       A) Comments:
    3) Does the central office send you the annual dropout figures for your school, based on the period figures which you've submitted? Yes No
    4) Do you, in turn, submit this data to the state or do you calculate your own dropout figures, independent of the calculations made at central office?

43. Does the definition of dropout include:
    1) Truants: Yes No
       A) Comments:
    2) Selective attenders: Yes No
       A) Comments:
    3) Leave to marry: Yes No
       A) Comments:
    4) Pregnancy leave: Yes No
       A) Comments:
    5) Military service: Yes No
       A) Comments:
    6) Job Corps: Yes No
       A) Comments:
    7) Evening school: Yes No
       A) Comments:
    8) Disappear: Yes No
       A) Comments:
    9) Other:

44. If a student over the mandatory age has transferred or dropped out but still lives in your district and decides to return, do you have the authority to decide whether to accept the student back? Yes No
    1) Comments:

45. What procedure is followed with students who withdraw from school prior to graduation on either a voluntary or involuntary basis? (i.e., is there an exit interview, specific

forms filled out, etc.)

46. Are parents included in this withdrawal procedure? Yes No
    1) Comments:

47. Is this procedure used with all students who withdraw from school? Yes No
    1) Comments:

48. Do you have a special procedure used with kids who are over 16 whose actions lead you to believe that the student may not complete a degree on schedule or that the school would be better off without? Yes No
    1) Comments:

49. If a student has been constantly in trouble and disruptive, do you ever recommend that he may be better off, if he leaves school for awhile? Yes No
    1) Comments:
    2) Are there any other circumstances under which you make such recommendations?

50. Do you ever expel a student? Yes No

51. Do you believe that dropping out is a problem? Yes No
    1) Comments:

52. What do you believe is the best approach to curtailing the drop-out phenomenon?

53. Do you have a dress code? Yes No

54. Is there a special academic and/or dress code for participation in sports:
    1) Comments: Yes No

55. Do you have security hall monitors? Yes No
    1) Are they students, police, or other adults:

56. Do you have different curriculum levels for different types of students?
    1) Describe: Yes No

57. On what basis is the decision made to place a child in a given level?

58. If parents disapprove of the classification of their child, what is the typical outcome?

59. Are there different types of grading systems associated with these different levels of curriculum? For example, are extra points added to grades attained by people in the highest level or is a ceiling placed on the grades that can be given to students in the lower level? Yes No
    1) Comments:
    2) If Yes, what is the jurisdiction for this?

60. Does your school grant different types of diplomas? Yes No
    1) Describe:

61. What percentage of your students require remedial reading?

62. Do you believe that all of the students who need remedial reading instruction are receiving it? Yes No

63. How are your remedial reading programs funded?

64. Do you have heterogenous or homogenous grouping of students?

65. Is it possible for a student to be in a low level for one subject and in an accelerated level in another? Yes No
    1) Comments:

66. Do you make mental health referrals? Yes No
    1) Approximately, how many do you make per year?
    2) Approximately, how many students are transferred to special programs upon the recommendation of the school psychologist per year?
    3) What programs are these students transferred to?

67. Do you at present practice any in-school alternatives to suspensions?
    1) Describe: Yes No
    2) Do you feel these alternatives are effective?

68. Do you issue employment certificates? Yes No
    1) If Yes, on the average how many do you issue a year?
    2) Under what circumstances do you issue such certificates?
    3) What is the average age of the student to whom you issue a work certificate?

REQUESTS:

1. Copy of dress code, student and parent handbooks.
2. School policies on discipline, suspensions, transfers.

SUPERINTENDENT (or designee)

Superintendent _____ Interviewers (1)_____

School District_____ (2)_____

Date_____

1. Does your school district have a series of written policy statements on discipline? Yes No
    1) If Yes, was the policy developed by you alone or in conjunction with the school board and/or other groups?
        A) School board
        D) Superintendent
        C) Both
        D) Other:_____

2. In practice is this disciplinary policy implemented in a uniform manner throughout the district, or do you have reason to believe that there is some variation among schools?

1) Same
2) Variation
   A) If Variation, why is there variation?

3. Which of the following disciplinary measures are taken in your schools and who has the right to initiate them?
   1) Assignment to more study halls? Yes No
      A) Initiated by: Princ. Dean Teacher Other_____
   2) Detention: Yes No
      A) Circle: Princ. Dean Teacher Other_____
   3) Sitting in an office or hall? Yes No
      A) Princ. Dean Teacher Other_____
   4) Work detail such as washing walls, etc? Yes No
      A) Princ. Dean Teacher Other_____
   5) Denial of extra curricular activities? Yes No
      A) Princ. Dean Teacher Other_____
   6) Corporal punishment? Yes No
      A) Princ. Dean Teacher Other_____
   7) Transfer to another school? Yes No
      A) Princ. Dean Teacher Other_____
   8) Suspensions: Yes No
      A) Princ. Dean Teacher Other_____
   9) Increased homework? Yes No
      A) Princ. Dean Teacher Other_____
   10) Other:

4. Does the district have any programs to train teachers how to maintain control in the classroom? Yes No
   A) If Yes, describe:

5. What types of involuntary transfers do you make? i.e., disciplinary, adjustment, safety, etc.?
   1) How are these distinguished?
   2) What procedure are the schools to follow in making an involuntary transfer?
   3) Are parents notified of the transfer before it occurs? Yes No
      A) Comments:
   4) Is a parents signature necessary before a udent can be involuntarily transferred? Yes No
   5) Are parent conferences held prior to a transfer?
      Sometimes Always Never
   6) If conferences are held is this at the parents request or as a matter of school policy?
   7) If a parent doesn't want her child transferred, what is the typical outcome on disciplinary transfers?

6. Who has the responsibility for disciplinary transfers in your school district?
   1) Principal
   2) Superintendent
   3) Dean
   4) Vice Principal
   5) Hearing Officer
   6) Other_____

7. On what basis is an involuntary transfer recommended, i.e. what types of disruptive behaviors result in this recommendation being made?

8. Are the schools in your district as likely to recommend a disciplinary transfer for kids over 16 as they would for those under 16? Yes No
   1) Comments:

9. Are there certain schools in your district to which involuntary transfers are made? Yes No
   1) If Yes, which schools do you transfer to and why?

10. If a parent requests a transfer for her child, what normally occurs?
    1) If the principal disapproves, what is the typical outcome?

11. How do you functionally define truancy?

12. Is a distinction made between selective attendance and truancy? in other words, when you classify a student as truant does this category include both those students who do not come to school at all and those who come but skip classes? Both Not Both
    1) Comments:
    2) Why is selective attendance considered a problem?

13. How do you define insubordination?
    1) Can you give me some typical examples of what is considered as insubordination?

14. Which of the following acts are among those for which you suspend students?
    1) Truancy: Yes No
       A) How truant must one be for such a recommendation?
    2) Selective Attendance: Yes No
       A) Comments:
    3) Insubordination: Yes No
       A) Comments:
    4) Behavior which threatens bodily harm: — Yes No
       A) Comments:
    5) Extortion and theft: Yes No
       A) Comments:
    6) Smoking: Yes No
       A) Comments:
    7) Drugs: Yes No
       A) Comments:
    8) Fighting: Yes No
       Comments:
    9) Assault with or possession of weapons: Yes No
       A) Comments:
    10) An arrest: Yes No
       A) Comments:
    11) Other:

15. Are there any automatic punishments for certain types of misdemeanors such as fighting, possession of weapons? Yes No
    1) Which misdemeanors are followed by automatic suspensions in your district?

16. When a student is recommended for long term suspension, what procedure does the district follow?

17. When a recommendation is made for a long term suspension is this followed up with an informal parent conference?
    Always Sometimes Never
    1) At whose discretion?

18. Is there a hearing in every case? Yes No
    1) Qualify:

19. On the average, how soon after a long term suspension recommendation is the hearing held?
    1) Who requests the hearing?

20. If the student comes to the hearing without a guardian or counsel will the hearing be held or postponed?
    Held Postponed
    1) Is any attempt made to seek counsel for the student if the parent can't or won't attend? Yes No
       A) Comments:
    2) Are the same attempts made if the student is almost 16 or older? Yes No
       A) Comments:

21. If neither the parent or student shows up at the hearing, what procedure will be followed?

22. How is the parent notified of the date of the hearing?

23. May a student bring a lay advocate or lawyer to a hearing? Yes No
    1) If Yes, how is the student informed of this right?

24. What happens to the student between the time of suspension and the hearing?

25. If the decision is made to long term suspend a student after the hearing, how long will the suspension normally last (average & range)
    1) Is the length of a long term suspension likely to vary as a function of age? That is, if the student is almost 16 or older will the length of the long term suspension be different than if the student was 13? Yes No
       A) Comments:

26. What alternatives are available if a student wishes to continue his education during the period between the time of a long term suspension recommendation and the hearing?

27. If the district assigns a student to alternative education between the time of the recommendation and the hearing, what is done to assure that the student attends?
    1) Is this procedure any different if the student is almost 16 or older?
       A) Comments: Yes No

28. Do you have a hearing officer for the district? Yes No
    1) If Yes, who is he?
    2) What is his position within the district?

29. Are parents explicitly informed via written correspondence that they can bring a lawyer or advocate to a suspension hearing? Yes No
    1) Are parents reminded to attend the hearing for their child a day or so before the hearing, and how?

30. How often do students come to a hearing without a parent or counsel? (estimated percentage)

31. How often do the students fail to come to suspension hearings? (estimated percentage)
    Has it been your experience that schools in your district are more likely to make long term suspension recommendations for students who are almost 16 or older than they are for younger students? Yes No
    1) Comments:

32. Does the suspension procedure differ in any way for students who are over and under 16?
    1) Comments: Yes No

33. Do you ever expel students: Yes No
    1) Comments:

34. Would you be interested in developing any alternatives to suspensions (long and short)
    1) Comments: Yes No

35. What are your thoughts on using suspensions only in emergency situations?

36. Does the districts definition of a DROP-OUT include? Those who are:
    1) Truants: Yes No
       A) Comments:
    2) Selective attenders: Yes No
       A) Comments:
    3) Leave to marry: Yes No
       A) Comments:
    4) Leave due to pregnancy: Yes No
       A) Comments:
    5) Military service: Yes No
       A) Comments:
    6) Job Corps: Yes No
       A) Comments:
    7) Transfer to evening school: Yes No
       A) Comments:
    8) Disappear: Yes No
       A) Comments:
    9) Age loss at 17 (i.e. 17 year olds who leave school) Yes No
       A) Comments:
    10) Other:

38. Has the definition of drop-out changed during the past 4 years? Yes No
    1) If Yes, how?

39. Has the school district implemented any alternative programs aimed at reducing the number of drop-outs? Yes No
    1) If Yes, list and describe population characteristics and the type of instruction offered?
    2) Do any of these programs have waiting lists? Yes No
        A) If Yes, which schools.
    3) Which of these programs are the most successful and what factors do you believe make them successful? i.e. pay for work if a vocational school, selection procedure. ETC.
    4) What are the sources of funding for these alternatives programs?

40. Do you believe that dropping out is a problem? Yes No
    1) Comments:

41. What do you believe is the best approach to curtailing the drop-out phenomenon?

42. In what form does the district keep statistics on transfers, drop-outs and suspensions (i.e. ethnicity, age, grade, cause, ETC.)?

43. Do you keep track of the losses and entrants to each school in the district? Yes No
    1) If Yes, in what form is this information tabulated? i.e. do you have several categories clarifying how students are lost or enter?
    2) Who keeps these records (name of person and dept.?)

44. Does the district have a department of Research and Planning? Yes No
    1) If Yes, who is in charge?

45. What programs does Title I fund at the secondary level in your district?

46. Who's in charge of the reading programs for the district?

47. Do you have any bilingual programs? Yes No
    1) Who is the director of the bilingual program?
    2) Approximately, how many students are in the bilingual programs?
    3) What non-English speaking communities are serviced by the bilingual program?
    4) Is there a difference in the bilingual program offered for Native Spanish speakers and speakers of other foreign languages? Yes No
        A) If Yes, describe the differences.
    5) Do you believe that you are reaching all students who need bilingual ed.?
        A) Comments: Yes No

48. What programs does PSEN (Pupils with Special Education Needs) fund at the secondary level?
    1) Who is in charge of the PSEN programs?

49. Does the school district have a policy regarding identification and provision of services to children performing more than 2 years behind in reading and/or math?
    1) Reading: Yes No
    2) Math: Yes No
        A) What is that policy?

50. Who is in charge of the programs for the handicapped?
    1) How frequently is an evaluation done of the handicapped students achievement for purposes of placement?
    2) Do you have a Committee for the Handicapped? Yes No
    3) Who sits on that committee?
    4) Are parents on the committee?

51. Is this a BOCES district? Yes No
    1) If Yes, what is the due process for referrals made to BOCES?

52. Do you have any waiting lists for any of the following?
    1) Special classes for the handicapped? Yes No
    2) Bilingual ed.? Yes No
       A) Comments:
    3) Remedial reading (elementary) Yes No
       A) Comments:
    4) Remedial reading (secondary) Yes No
       A) Comments:
    5) Resource rooms (to provide special aid on an individual basis) Yes No
       A) Comments:

53. Are there any pending discrimination actions with respect to:
    1) Hiring: Yes No
    2) Handicapped: Yes No
    3) Bilingual: Yes No
    4) Racial: Yes No
    5) Sex: Yes No
       A) Comments:
       B) If Yes, to any of the above, is this action being taken through the courts, HEW, or the New York State Division of Human Rights?
          1) Courts
          2) HEW
          3) N.Y. State Division of Human Rights
          4) Other:

54. Do you have an evening school program in your district? Yes No
    1) Is the mandatory age for school attendance in your district 16 or 17? 16 17
    2) Do you have any way of knowing if some of the kids who have dropped out of school were reading, writing, or speaking below the 5th grade level? Yes No
    3) If Yes, do you follow up on such students to see that they do attend evening school?
       A) Comments: Yes No

55. Have you cut down on the size of your psychologist and counselor staff during the past 4 years? Yes No
    1) Do you have figures that would be available to me on the extent of the cutbacks? Yes No
    2) How many psychologists and counselors service the schools in your district?
    3) Do any of your schools have part time psychologists and counselors? Yes No
    4) Are any schools without such services? Yes No
    5) What have been the effects of such cutbacks?

6) Do you feel that the psychologists have enough time with individual students to make good diagnosis and recommendations on mental health referrals? Yes No
A) Comments:

REQUESTS

1. A copy of the districts policy on discipline, i.e. any Board of Education regulations and handbooks on rights of students and parents.
2. A copy of the local regulations developed to comply with the Buckley Amendment.
3. Notification form to parents: for long and short term suspensions.
4. Statistics on school transfers, drop outs, and suspensions? (4 yrs.)
5. If applicable: Statement of student rights made available to students.
6. Record of Losses and Entrants by School (4 yrs.)
7. Title I application.
8. BEDS REPORT - This year - and 5 years ago.
9. OCR report 1976.
10. Brochures on special programs for dropouts and discipline problems.

APPENDIX B

INTERVIEWER TRAINING AND DATA ANALYSIS

Training of Interviewers

All volunteers were trained by the personnel of the Statewide Youth Advocacy Project. In a 2-1/2 hour training session, the interviewers were taught how to locate dropouts, how to gain access to school officials, and how to use the interview forms. Trainees listened to a tape-recorded simulated interview prepared by the Project staff. Highlights of the interviewing procedure are outlined below:

1. All interviews were conducted by a team of two people.
2. One person functioned as the primary interviewer asking all questions, while the second intervened when she/he felt that the answers given were unclear or when a question had been ommitted.
3. Both interviewers were required to write down all responses, taking down verbatim answers whenever possible.
4. The interviewers were instructed not to "lead" the respondent when asking for clarification on a particular point.
5. Following the interview (same day), the interviewers jointly transcribed all answers onto a summary sheet; this was done so that information recorded in haste during the interview could be put in a form understandable to others. Additionally, it was important that interviewers compared and confirmed their notes. The summary sheets were then sent to the Statewide Youth Advocacy Project for analysis.
6. We requested that interviewers return their first completed summary sheets to the Project headquarters so that we would be able to give suggestions for future interviews.

Interview Coding

Three highly-skilled coders independently analyzed all summary sheets. With the use on a code book developed specifically to categorize student and principal responses, all data were placed in a form that enabled them to be readily compiled by computer. The coders were instructed NOT to force any response into a given category. Therefore, even slightly unclear answers were placed in the 'unclear' category. This practice assured that the coding would be as bias-free as possible. Anyone interested in the particular coding scheme can write to the Project for information.

Data Analysis

Although there were some "yes-no" answers scattered throughout the interview forms, most of the questions were open-ended and permitted the respondents to respond as fully as they desired. For this reason, many of the questions resulted in multiple answers. This, in turn, required special care in the interpretation of the data that was analyzed by S.P.S.S. (Statistical Package for the Social Sciences). With the aid of this program, frequency counts were calculated for all questions. When the question only permitted one response, then each response was synonymous with a discrete person. Thus, the percentage can be taken to mean that X per cent of the respondents said Y. However, when more than one answer was allowed per question, the interpretation became more complicated. No longer could we say that X per cent of the respondents said X and another set of dropouts said Y. This is the case because it may be that X and Y were mentioned by the same people. We have been careful to make this distinction throughout our report.

APPENDIX C

COMPARISON OF DROPOUT FIGURES AS REPORTED BY THE CENTRAL OFFICE (C.O.), OCR & BEDS
(Selected Districts During 1975-76 School Year)

School	C.O.	BEDS	OCR
SYRACUSE CITY SCHOOL DISTRICT			
A.E.P./G.L.S.	8	?	*
Blodgett J.H.	29	34	35
Central Technical H.S.	*	*	*
Clary J.H.	6	9	*
Corcoran H.S.	122	186	129
Eastwood J.H.	5	0	*
Fowler H.S.	213	307	210
Grant J.H.	5	9	*
Henninger H.S.	128	96	96
Homebound	7	?	*
Levy J.H.	3	2	2
Lincoln J.H.	5	5	3
McCarthy	1	?	*
Nottingham H.S.	43	126	20
Roosevelt J.H.	11	12	0
Shea J.H.	8	9	*
Smith J.H.	2	3	*
YMED	21	?	*
ROCHESTER CITY SCHOOL DISTRICT			
Charlotte J.H.	17	19	17
East J.S.H.	30	30	30
Edison Industrial	17	17	17
Franklin H.S.	99	99	99
Frederick Douglass	12	NR	12
Interim J.H.	0	NR	0
Jefferson J.S.H.	65	65	65
Marshall J.S.H.	59	59	59
Madison H.S.	93	93	93
Monroe J.S.H.	31	31	31
N.A.C.	25	*	*
Neighborhood Street Academy	95	26	95
Operation Young Adult	0	0	0
School w/o Walls	24	24	24
Wilson J.H.	1	NR	1
World of Work	*	53	*
Young Mothers	*	*	0

School	C.O.	BEDS	OCR
BUFFALO CITY SCHOOL DISTRICT			
Bennett H.S.	155	64	71
Buffalo Alternative H.S.	21	*	*
Burgard Vocational H.S.	81	184	97
Clinton J.H.	1	NR	12
East H.S.	149	177	177
Emerson Voc.	39	58	46
Fillmore Middle	*	NR	0
F. Masten	71	64	129
Humboldt J.H.	4	?	16
Grover Cleveland	132	151	310
Hutchinson Voc.	29	32	31
Kensington H.S.	170	207	162
LaFayette H.S.	71	85	71
McKinley Vocational H.S.	43	30	42
Riverside H.S.	136	132	161
Seneca Vocational H.S.	52	58	48
South Park H.S.	170	222	154
Southside J.H.	54	58	51
St. Augustine	16	20	10
Woodlawn J.H.	3	?	0
POUGHKEEPSIE CITY SCHOOL DISTRICT			
Poughkeepsie H.S.	111	112	111
Poughkeepsie Middle	21	?	26

KEY:
- * = No dropout data was available on this school by the source indicated
- ? = The Project did not receive this data from BEDS; however, it is believed to be available
- NR = Not Required because the junior high does not house a 9th grade
- OCR = Office of Civil Rights
- BEDS = Bureau of Educational Data Systems
- C.O. = Central office (district)

APPENDIX D

A COMPARISON OF DROPOUT FIGURES AS REPORTED BY BEDS AND THE CENTRAL OFFICE (CO).

(LACKAWANNA CITY SCHOOL DISTRICT)

	1971-72		1972-73		1973-74		1974-75		1975-76	
Schools	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS
Hoover J.H.	*	1	*	3	0	2	6	4	2	2
Lackawanna H.S.	*	21	*	14	46	47	42	54	29	50
Lincoln J.H.	*	14	*	13	7	7	1	2	5	6
TOTAL	*	36	*	30	53	56	49	60	36	58

(SCHENECTADY CITY SCHOOL DISTRICT)

	1971-72		1972-73		1973-74		1974-75		1975-76	
Schools	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS
Central Park J.H.	0	0	0	0	3	NR	NR	NR	NR	NR
Linton H.S.	106	107	111	127	133	132	141	124	120	120
Mt. Pleasant H.S.	116	115	136	136	125	120	117	109	139	94
Oneida J.H.	0	0	3	0	2	0	0	0	0	0
Steinmetz J.H.	3	3	4	0	1	0	1	0	7	7
Woodlawn Middle	-	?	-	?	0	?	1	?	1	?
Washington Irving	-	-	-	-	21	*	18	*	2	*
TOTAL	225	225	254	263	290	252	279	233	280	221

A COMPARISON OF DROPOUT FIGURES AS REPORTED BY BEDS AND THE CENTRAL OFFICE (CO)

(BINGHAMTON CITY SCHOOL DISTRICT)

	1971-72		1972-73		1973-74		1974-75		1975-76	
School	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS
Central H.S.	59	71	*	74	101	89	87	31	82	36
Chester B. Lord	*	NR	*	NR	*	NR	*	NR	*	NR
East J.H.	12	NR	*	NR	12	NR	3	NR	4	NR
MacArthur School	*	NR	*	NR	*	NR	*	NR	*	NR
North H.S.	77	66	*	42	127	65	85	65	121	68
West J.H.	14	8	*	x	7	10	15	10	11	11
TOTAL	171	145		209	247	164	192	108	219	115

(POUGHKEEPSIE CITY SCHOOL DISTRICT)

	1971-72		1972-73		1973-74		1974-75		1975-76	
School	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS	CO	BEDS
Poughkeepsie H.S.	146	130	133	151	122	157	109	161	111	112
Poughkeepsie Middle	9	?	21	?	20	?	13	?	21	?
TOTAL	155	142	154	173	142	177	122	180	132	112

KEY:

BEDS = Bureau of Educational Data Systems
x = Bad Data
- = School no longer in existence
? = The Statewide Youth Advocacy Project did not receive this data from BEDS; however, it is believed to be available
* = No dropout data was reported on this school by the source indicated
NR = Not Required as the junior high does not house a 9th grade

APPENDIX E

STATEWIDE YOUTH ADVOCACY PROJECT
DROPOUT QUESTIONNAIRE AND SAMPLE ANSWERS

The following is an exact replica of the questionnaire showing actual answers received from two school districts:

	Answers	
	District Y	District Z
1. Does each school send you its annual dropout figures?	Yes x No ___	Yes x No ___
2. Do you calculate dropout figures based on information provided by the schools?	Yes x No ___	Yes x No ___
3. Does that information include lists of students leaving the school, and their destinations?	Yes x No ___	Yes x No ___
4. Do the schools provide you with any other information used for determination of dropout figures?	Yes ___ No x	Yes ___ No x
If yes, what information?		
5. What are your criteria for dropouts?		
Any student leaving school with parent permission prior to graduation (pages 16-21).	District Y	
Any student who leaves school before graduation who does not enter another school before the end of the current school year.	District Z	
6. Does the definition of dropout include:	District Y	District Z
a) truants?	Yes ___ No x	Yes x No ___
b) selective attenders?	Yes ___ No x	Yes x No ___
c) leave to marry?	Yes ___ No x	Yes x No ___
d) pregnancy leave?	Yes ___ No x	Yes x No ___
e) military service?	Yes ___ No x	Yes x No ___
f) Job Corps?	Yes ___ No x	Yes x No ___
g) evening school?	Yes ___ No x	Yes x No ___
h) disappear?	Yes ___ No x	Yes x No ___
i) Are there any others?	Yes ___ No ___	Yes x No ___
If so, please list:		

Answers

After 16 years, with parent permission, a pupil may "dropout" for his/her own reasons — District Y

No Answer — District Z

	District Y	District Z
7. Population of area covered by your school district:	50 - 75,000	Under 25,000
8. Approximately percentage of minority students in your district?	1%	5%

APPENDIX F

The Issue of Transfers to Evening School

Evening school, which is not free public education, is available to students 16 years of age or older in the larger districts throughout New York State. For a variety of reasons, financial as well as academic, some students voluntarily request to transfer to evening school; still others are transferred as a disciplinary measure (frequently for truancy and selective attendance.) However, graduation from evening school is far less probable than graduation from any day school programs:

1. Transportation to evening school is not provided and, thus, it becomes the student's responsibility to find and pay for a means to attend;
2. There are book fees;
3. Evening school usually provides only core courses (English, Math, Science, History.) No extra-curricular activities or sports programs are available. It is widely accepted that such offerings frequently motivate students to stay in school. Thus, this additional incentive is lacking in evening school programs; and, finally,
4. Welfare regulations require that persons over 16 either attend day school, be employed, or join the WIN program (Work Incentive Program) if they or their families are to remain on welfare.

Because of the increased probability that students attending evening school will leave before graduation, it is important that provision be made for including evening school transfers in the dropout count by:

1. Arbitrarily deciding that all such transferees are dropouts (Buffalo, Albany, Schenectady, White Plains and Mount Vernon) or,
2. Monitoring evening school attendance (Yonkers.)

Rochester does neither. Its annual transfers to evening school are between 600 and 800 students, students unaccounted for in any of the district's dropout counts. This practice may occur in other cities large enough to have an evening school program to which over-16-year olds can be transferred.

APPENDIX G

Holding power can legitimately be used to estimate the dropout rate only when the net movement into and out of a district is known to be zero. We have demonstrated, however, that this is not the case. In fact, most city districts are experiencing a net loss in public school enrollment with students transferring either to private schools or moving to the suburbs or out of the state. This type of loss we refer to as MOBILITY. In order to make use of holding power as an estimate of the dropout rate, enrollment figures must be adjusted to account for the gains or losses in public school register. Once mobility has been accounted for, it can be assumed that the remaining difference between 9th and 12th grade enrollment figures is attributable to loss from dropouts.

We used a formula to estimate the annual mobility rate. To calculate mobility, one cannot use enrollment figures for grades 9 through 12, as it is in these grades that students are able to withdraw from school, confounding loss due to mobility with loss due to dropouts. Neither can one look at 8th grade enrollment figures for a given year to see how many students leave by the time the class reaches 9th grade, as between 8th and 9th (and from 6th to 7th) grades there is an influx of youngsters from parochial to the public schools. Thus, grades 6 to 7 and 8 through 12 must be excluded from the analysis determining how many students from a given grade stay within the public school system and advance to the next grade the following year.

If no actions are taken to solve the problems leading to early school withdrawal, and assuming that the 1975-76 state dropout rate remains constant for the next twelve years, we estimate that 21.8% of students enrolled in grades 1 through 12 in 1976-77 (3,002,442) will drop out at some point after their sixteenth birthday, that is, 654,532.

We, therefore, calculated annual mobility changes in the public school enrollment in the following fashion. First, we determined the total district enrollment in grades 1 through 5 and 7 for a given year; i.e., 1970. If the district had not experienced a net loss in public school enrollment, the same number of students should have been on the following year's register; by and large the same group of students would have advanced to the next grade, except for the few held back or skipped ahead. A difference between the enrollment for the two years would then be attributable to mobility.

Annual mobility, then, was calculated by use of the following equation:

$$\text{Annual mobility rate} = \frac{\text{Enrollment in grades 2,3,4,5,6, \& 8 for year X plus 1}}{\text{Enrollment in grades 1,2,3,4,5, \& 7 for year X}}$$

We calculated the mobility rate for each year of the 1970's, using that equation. Because we had reason to believe that the degree of movement would vary significantly for different racial/ethnic groups, we determined the mobility rates for the various sub-groups of public school enrollment in the following districts: Buffalo, Rochester, Syracuse and Yonkers.

It is worth noting that the greatest population loss occurred during peak recession years. Also these figures indicate that the greatest loss was in the white population, followed to a lesser degree by a loss in the black population. Most districts, on the other hand, have experienced an increase in the SSA population.

These mobility figures were then used to estimate the per cent difference between 9th and 12th grade enrollment figures that could reasonably be attributed to mobility. It must be emphasized that in so doing we are assuming that the mobility rate is constant across grades. We have indicated in previous sections, however, that the greatest population loss actually occurs in grades K through 6. Thus, we overestimate the mobility rate in secondary schools and thereby underestimate the number of dropouts. (Note: The difference between

THE CHARTS ON PAGES 184 THROUGH 187 SHOULD FOLLOW THE CHART ON PAGE 190.

FIGURES USED IN ESTIMATION OF THE ADJUSTED HOLDING POWER AND ITS CORRESPONDING DROPOUT RATE

BUFFALO

Class of	Enrollment 9th Grade (Actual)	Enrollment 12th Grade (Actual)	Mobility Loss (Estimated)	Holding Power (Adjusted)	Estimated Dropout Rate	Number Dropouts (Estimated)
			TOTAL			
'73	5,580	3,839	844	83.9%	16.0%	892
'74	5,726	3,549	981	79.0%	21.0%	1,202
'75	5,572	3,603	965	81.9%	18.1%	1,008
'76	5,229	3,606	773	83.7%	16.2%	847
			BLACKS			
'73	1,933	1,139	254	72.0%	28.0%	541
'74	2,068	1,197	243	69.6%	30.0%	626
'75	1,986	1,200	262	73.6%	26.4%	524
'76	2,061	1,281	240	73.8%	26.2%	540
			WHITES			
'73	3,530	2,594	791	95.9%	4.1%	144
'74	3,532	2,274	797	86.9%	13.0%	459
'75	3,426	2,304	769	89.6%	10.4%	356
'76	2,966	2,204	523	91.9%	8.0%	237

NOTE: The mobility rates used to calculate adjusted holding power figures are based on the size and direction of annual change in district enrollment figures for grades 1 through 8. These same mobility rates are then used to calculate the expected loss due to mobility in grades 9 through 12 for the corresponding years. In the text, we are probably grossly overestimating high school loss due to mobility by using the rates based on grades 1 through 8 as it is generally accepted that families with young children are more likely to move than are families with older children.

* When the adjusted holding power figure is calculated to be 100%, this is reflective of a net gain in the population. (If the adjusted holding power figure is calculated to be greater than 100%, it is rounded off to 100%.)

FIGURES USED IN ESTIMATION OF THE ADJUSTED HOLDING POWER AND ITS CORRESPONDING DROPOUT RATE

ROCHESTER

Class of	Enrollment 9th Grade (Actual)	Enrollment 12th Grade (Acutal)	Mobility Loss (Estimated)	Holding Power (Adjusted)	Estimated Dropout Rate	Number Dropouts (Estimated)
			TOTAL			
'73	3,436	2,015	705	79.2%	20.8%	715
'74	3,404	2,049	624	78.5%	21.4%	728
'75	3,435	2,018	554	74.8%	25.2%	865
'76	3,459	2,076	424	72.3%	27.7%	958
			BLACKS			
'73	902	487	97	64.7%	35.3%	318
'74	1,058	593	97	65.2%	34.7%	367
'75	1,128	579	103	60.4%	39.6%	446
'76	1,284	653	88	57.7%	42.3%	543
			WHITES			
'73	2,410	1,460	673	88.5%	11.5%	278
'74	2,216	1,353	590	87.6%	12.3%	273
'75	2,134	1,332	521	86.8%	13.2%	281
'76	1,970	1,314	396	86.8%	13.2%	260

NOTE: The mobility rates used to calculate adjusted holding power figures are based on the size and direction of annual change in district enrollment figures for grades 1 through 8. These same mobility rates are then used to calculate the expected loss due to mobility in grades 9 through 12 for the corresponding years. In the text, we are probably grossly overestimating high school loss due to mobility by using the rates based on grades 1 through 8 as it is generally accepted that families with young children are more likely to move than are families with older children.

* When the adjusted holding power figure is calculated to be 100%, this is reflective of a net gain in the population. (If the adjusted holding power figure is calculated to be greater than 100%, it is rounded off to 100%.)

FIGURES USED IN ESTIMATION OF THE ADJUSTED HOLDING POWER AND ITS CORRESPONDING DROPOUT RATE

SYRACUSE

Class of	Enrollment 9th Grade (Actual)	Enrollment 12th Grade (Actual)	Mobility Loss (Estimated)	Holding Power (Adjusted)	Estimated Dropout Rate	Number Dropouts (Estimated)
			TOTAL			
'73	2,059	1,682	350	98.7%	1.3%	27
'74	1,917	1,685	340	100.0%*	0	0
'75	2,062	1,762	369	100.0%*	0	0
'76	2,109	1,559	295	87.9%	12.0%	253
			BLACKS			
'73	394	231	35	67.5%	32.5%	128
'74	386	269	56	84.1%	15.8%	61
'75	490	378	68	91.0%	9.0%	44
'76	580	325	64	67.0%	32.9%	190
			WHITES			
'73	1,637	1,435	352	100.0%*	0	0
'74	1,513	1,396	306	100.0%*	0	0
'75	1,557	1,358	315	100.0%*	0	0
'76	1,500	1,211	266	98.4%	1.6%	24

NOTE: The mobility rates used to calculate adjusted holding power figures are based on the size and direction of annual change in district enrollment figures for grades 1 through 8. These same mobility rates are then used to calculate the expected loss due to mobility in grades 9 through 12 for the corresponding years. In the text, we are probably grossly overestimating high school loss due to mobility by using the rates based on grades 1 through 8 as it is generally accepted that families with young children are more likely to move than are families with older children.

* When the adjusted holding power figure is calculated to be 100%, this is reflective of a net gain in the population. (If the adjusted holding power figure is calculated to be greater than 100%, it is rounded off to 100%.)

FIGURES USED IN ESTIMATION OF THE ADJUSTED HOLDING POWER AND ITS CORRESPONDING DROPOUT RATE

YONKERS

Class of	Enrollment 9th Grade (Actual)	Enrollment 12th Grade (Actual)	Mobility Loss (Estimated)	Holding Power (Adjusted)	Estimated Dropout Rate	Number Dropouts (Estimated)
			TOTAL			
'73	2,367	2,169	164	98.6%	1.4%	33
'74	2,375	2,029	205	94.1%	5.9%	140
'75	2,451	2,154	187	95.5%	4.9%	120
'76	2,330	2,096	96	94.0%	6.0%	140
			BLACKS			
'73	263	206	+ 15	78.0%	22.0%	58
'74	298	236	- 1	79.5%	20.5%	61
'75	285	219	2	77.5%	22.4%	64
'76	307	188	+ 13	61.2%	38.7%	118
			WHITES			
'73	2,059	1,877	220	100.0%*	0	0
'74	1,943	1,697	242	99.8%	.2%	4
'75	2,047	1,829	226	100.0%*	0	0
'76	1,888	1,753	158	100.0%*	0	0

NOTE: The mobility rates used to calculate adjusted holding power figures are based on the size and direction of annual change in district enrollment figures for grades 1 through 8. These same mobility rates are then used to calculate the expected loss due to mobility in grades 9 through 12 for the corresponding years. In the text, we are probably grossly overestimating high school loss due to mobility by using the rates based on grades 1 through 8 as it is generally accepted that families with young children are more likely to move than are families with older children.

* When the adjusted holding power figure is calculated to be 100%, this is reflective of a net gain in the population. (If the adjusted holding power figure is calculated to be greater than 100%, it is rounded off to 100%.)

AVERAGE ANNUAL MOBILITY RATE BY RACIAL/ETHNIC GROUP FOR THE YEARS 1969-70 THROUGH 1975-76 (STATE FIGURES AND SELECTED DISTRICTS INCLUDED)

Years (Sept.-Sept.)	Total * Enroll.	Black	SSA	White
	NEW YORK STATE			
1969-70	-1.1%	0	0	+1.4%
1970-71	-1.4%	-1.9%	+1.9%	+1.3%
1971-72	-2.2%	-2.3%	+5.5%	+1.8%
1972-73	-1.8%	-2.5%	+3.3%	+1.8%
1973-74	-1.7%	+2.8%	+3.1%	+1.3%
1974-75	-1.6%	+ .6%	+2.9%	+1.7%
1975-76	-1.6%**	+2.9%	+4.2%	+2.8%
	BUFFALO			
1969-70	-3.6%	-4.1%	+1.4%	-9.3%
1970-71	-4.4%	-2.9%	-7.1%	-5.4%
1971-72	-7.9%	-6.7%	+5.0%	-9.6%
1972-73	-5.9%	-2.6%	+5.0%	-9.5%
1973-74	-4.6%	-4.5%	-5.0%	-5.2%
1974-75	-4.2%	-5.0%	-8.0%	-4.0%
	ROCHESTER			
1969-70	-8.0%	-5.2%	-6.6%	-9.6%
1970-71	-7.5%	-3.6%	+1.9%	-10.5%
1971-72	-6.6%	-2.5%	+7.5%	-10.9%
1972-73	-5.5%	-3.4%	0	-8.0%
1973-74	-5.0%	-3.6%	+8.2%	-7.8%
1974-75	-2.3%	0	+7.9%	-5.8%
	YONKERS			
1969-70	-2.8%	-7.6%	+3.7%	-1.2%
1970-71	-2.3%	+1.5%	+22.4%	-4.7%
1971-72	-4.5%	-1.0%	+4.4%	-5.2%
1972-73	-2.1%	- .9%	+1.7%	-3.2%
1973-74	-1.2%	+1.4%	+12.3%	-3.1%
1974-75	- .9%	+4.1%	-1.0%	-2.3%
	SYRACUSE			
1969-70	-6.1%	-2.4%	+33.0%	-7.9%
1970-71	-4.6%	-1.0%	-9.1%	-6.8%
1971-72	-7.5%	-5.7%	+39.0%	-8.6%
1972-73	-6.8%	-7.2%	+19.0%	-6.4%
1973-74	-4.7%	-1.6%	-12.3%	-6.9%
1974-75	-3.2%	-2.9%	-1.6%	-5.7%

KEY: − = per cent loss of that group
+ = per cent gain of that group

* Total = total school enrollment (Black, SSA, Oriental, Indian, White, Other)

**Since the 1976 figures were not available, we assumed the mobility rate to be the same as the year before.

9th and 12th grade enrollment is equal to the number of students who drop out and the number who leave the public schools of the district. As the estimate of one gets larger, the estimate of the other decreases.)

Difference = mobility plus dropouts

The procedure used to calculate the per cent attrition of a class due to mobility is best explained by example. In 1969, there were actually 5,580 youngsters enrolled in 9th grades throughout the Buffalo City School District. The estimated mobility loss was 3.6% during that year. Thus, we could expect to lose 3.6% of that 9th grade class before it reached the 10th grade. This would leave an expected 5,379 students in the 10th grade in 1970 (all other things being equal). In 1970, however, the average mobility rate was 4.4%. Therefore, when that 10th grade class reached 11th grade there would be 5,142 remaining. In 1971, the mobility rate was 7.9%. Therefore, we would expect to find 4,736 kids in 12th grade. In other words, 844 youngsters would have moved and/or enrolled in private schools during that three-year period. However, the actual enrollment for 12th grade was 3,839, or 892 fewer than should have been lost as a result of mobility. These are the dropouts and they represent a loss of 16% of the original 9th grade enrollment. The same procedure was used to calculate the expected loss due to mobility in each district to determine the adjusted holding power calculations. The equation for the latter was as follows:

$$\text{Adjusted Holding Power} = \frac{\text{actual 12th grade enrollment plus mobility}}{\text{9th grade enrollment}}$$

From time to time, the calculations indicated a net gain in students. This was frequently the case with the SSA population. When this occurred, the formula used to show the per cent increase was:

$$\text{Adjusted Holding Power} = \frac{\text{12th grade enrollment}}{\text{9th grade enrollment plus gain due to mobility}}$$

Both of these formulas provide an underestimate of the dropout count because we are using figures from the autumn of 12th grade. Were we to use graduation figures instead, the calculations would account for students who dropped out during the 12th grade. We were able to procure graduation figures for the total state-wide population. The formula then is:

$$\text{Adjusted Holding Power} = \frac{\text{12th graduation and mobility}}{\text{9th grade enrollment}}$$

The following table shows Adjusted Holding Power for the state, computed according to the formula using graduation figures. The figures for the successive tables for Buffalo, Rochester, Syracuse and Yonkers were computed using 12th grade enrollment figures.

FIGURES USED IN ESTIMATION OF THE ADJUSTED HOLDING POWER AND ITS CORRESPONDING DROPOUT RATE FOR NEW YORK STATE

Class of	Enrollment 9th Grade (Actual)	Graduation Figures (Actual)	Mobility Loss (Estimated)	Holding Power (Adjusted)	Dropout Rate	Number Dropouts (Estimated)
			TOTAL			
'74	286,231	207,413	19,791	79.4%	20.6%	58,963
'75	295,777	21.,780	21,009	78.4%	21.6%	63,887
'76	298,838	214,234	19,524	78.2%	21.8%	65,147

If no actions are taken to solve the problems leading to early school withdrawal, and assuming that the 1975-76 state dropout rate remains constant for the next twelve years, we estimate that 21.8% of students enrolled in grades 1 through 12 in 1976-77 (3,002,442) will drop out at some point after their sixteenth birthday, that is, 654,532.

APPENDIX H

SCHOOL ENROLLMENT FIGURES BY RACIAL/ETHNIC GROUP FOR ACADEMIC YEARS 1970-71 THROUGH 1975-76

BUFFALO CITY SCHOOL DISTRICT

Ethnic Group	1970-71	1971-72	1972-73	1973-74	1974-75	1975-76
			TOTAL DISTRICT (K-12)			
No. White	41,021	38,910	35,477	31,547	30,819	29,445
% White	58.4	57.2	55.2	52.7	52.4	51.6
No. Black	27,069	26,928	26,380	25,854	25,356	24,866
% Black	38.5	39.6	41.0	43.2	43.1	43.6
No. S.S.A.	1,620	1,612	1,849	1,860	1,932	1,951
% S.S.A.	2.3	2.4	2.9	3.1	3.3	3.4
TOTAL	70,305	67,983	64,324	59,842	58,818	57,632
			ELEMENTARY SCHOOL (K-6)			
No. White	21,265	19,989	18,100	16,543	15,451	14,888
% White	54.9	53.5	51.8	50.6	49.5	49.5
No. Black	15,937	15,935	15,319	14,676	14,194	13,524
% Black	41.2	42.7	43.8	44.9	45.4	45.0
No. S.S.A.	1,093	1,036	1,128	1,117	1,150	1,150
% S.S.A.	2.8	2.8	3.2	3.4	3.7	3.8
TOTAL	38,725	37,338	34,944	32,717	31,241	30,070
			SECONDARY SCHOOL (7-12)			
No. White	19,756	18,921	17,377	15,004	15,368	14,557
% White	62.6	61.7	59.2	55.3	55.7	54.0
No. Black	11,132	10,993	11,061	11,178	11,162	11,342
% Black	35.3	35.9	37.7	41.2	40.5	42.1
No. S.S.A.	527	576	721	743	782	801
% S.S.A.	1.7	1.9	2.5	2.7	2.8	3.0
TOTAL	31,580	30,645	29,380	27,125	27,577	26,962

SCHOOL ENROLLMENT FIGURES BY RACIAL/ETHNIC GROUP FOR ACADEMIC YEARS 1970-71 THROUGH 1975-76

ROCHESTER CITY SCHOOL DISTRICT

Ethnic Group	1970-71	1971-72	1972-73	1973-74	1974-75	1975-76
TOTAL DISTRICT (K-12)						
No. White	28,410	26,081	24,257	22,876	21,925	21,260
% White	62.4	59.0	56.0	52.8	50.9	49.1
No. Black	15,082	15,805	16,436	17,440	17,813	18,337
% Black	33.2	35.8	37.9	40.3	41.3	42.3
No. S.S.A.	1,853	2,164	2,437	2,758	3,134	3,425
% S.S.A.	4.1	4.9	5.6	6.4	7.3	7.9
TOTAL	45,500	44,205	43,338	43,306	43,107	43,323
ELEMENTARY SCHOOL (K-6)						
No. White	16,480	14,960	13,810	13,060	12,555	12,294
% White	59.6	56.4	53.3	50.6	49.3	47.9
No. Black	9,845	10,082	10,392	10,798	10,798	11,033
% Black	35.6	38.0	40.1	41.8	42.4	43.0
No. S.S.A.	1,218	1,370	1,577	1,778	1,994	2,149
% S.S.A.	4.4	5.2	6.1	6.9	7.8	8.4
TOTAL	27,651	26,545	25,925	25,808	25,492	25,656
SECONDARY SCHOOL (7-12)						
No. White	11,930	11,101	10,447	9,816	9,370	8,966
% White	66.8	62.9	60.0	56.1	53.2	50.8
No. Black	5,237	5,723	6,044	6,642	7,015	7,304
% Black	29.3	32.4	34.7	38.0	39.8	41.3
No. S.S.A.	635	794	860	980	1,140	1,276
% S.S.A.	3.6	4.5	4.9	5.6	6.5	7.2
TOTAL	17,849	17,660	17,413	17,498	17,615	17,667

SCHOOL ENROLLMENT FIGURES BY RACIAL/ETHNIC GROUP FOR ACADEMIC YEARS 1970-71 THROUGH 1975-76

SYRACUSE CITY SCHOOL DISTRICT

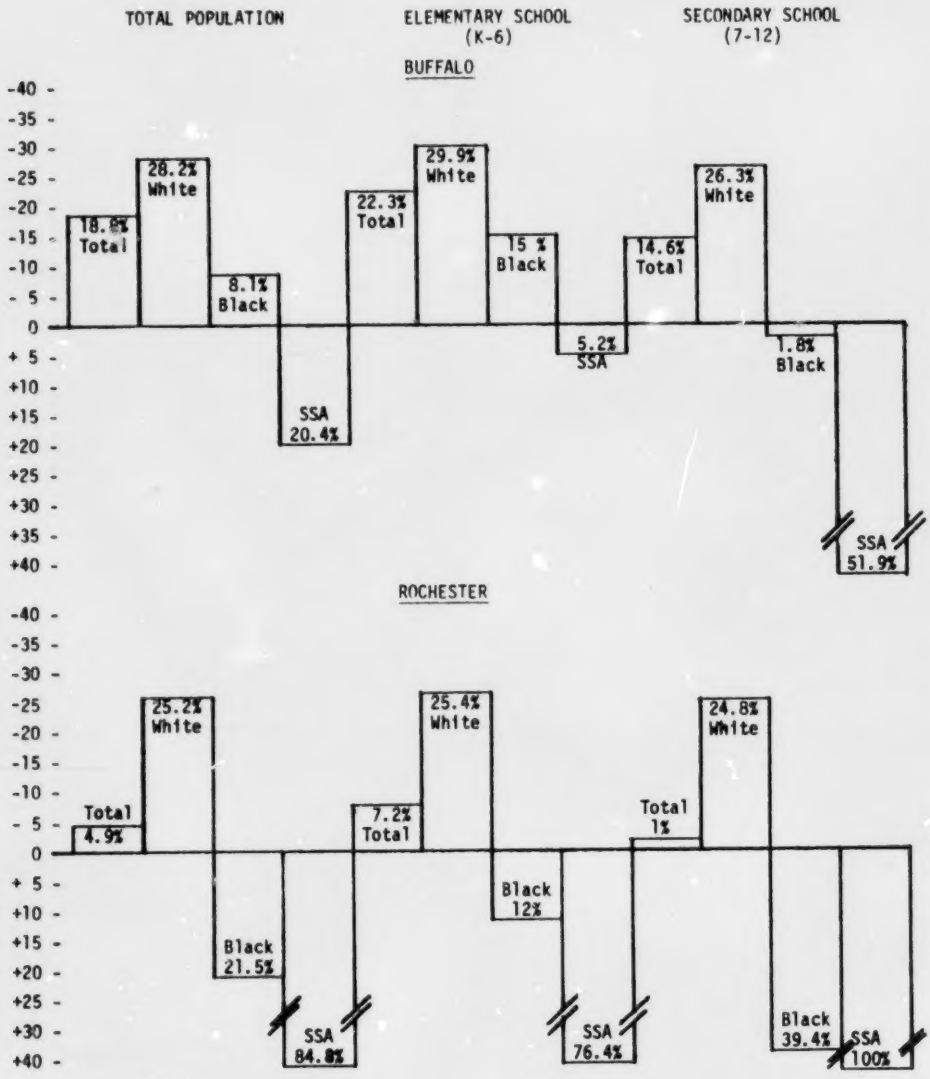
Ethnic Group	1970-71	1971-72	1972-73	1973-74	1974-75	1975-76
TOTAL DISTRICT (K-12)						
No. White	21,991	21,205	19,551	19,035	18,175	17,771
% White	74.8	73.0	70.7	70.5	68.5	66.4
No. Black	7,056	7,463	7,533	7,389	7,580	7,896
% Black	24.0	25.7	27.3	27.4	28.6	29.5
No. S.S.A	120	161	188	241	262	320
% S.S.A.	.4	.6	.7	.9	1.0	1.2
TOTAL	29,402	29,065	27,639	26,986	26,537	26,760
ELEMENTARY SCHOOL (K-6)						
No. White	12,382	11,574	10,683	10,228	9,729	9,529
% White	72.0	69.5	68.0	67.6	65.8	64.3
No. Black	4,561	4,808	4,636	4,518	4,542	4,549
% Black	26.5	28.9	29.5	29.9	30.7	30.7
No. S.S.A.	95	104	139	162	174	205
% S.S.A.	.6	.6	.9	1.1	1.2	1.4
TOTAL	17,267	16,665	15,712	15,132	14,783	14,826
SECONDARY SCHOOL (7-12)						
No. White	9,689	9,631	8,868	8,807	8,446	8,242
% White	78.5	77.7	74.4	74.3	71.9	69.1
No. Black	2,495	2,655	2,897	2,871	3,038	3,347
% Black	20.5	21.4	24.3	24.2	25.9	28.1
No. S.S.A.	25	57	49	79	88	115
% S.S.A.	.2	.5	.9	.7	.8	1.0
TOTAL	12,195	12,400	11,927	11,854	11,754	11,934

SCHOOL ENROLLMENT FIGURES BY RACIAL/ETHNIC GROUP FOR ACADEMIC YEARS 1970-71 THROUGH 1975-76

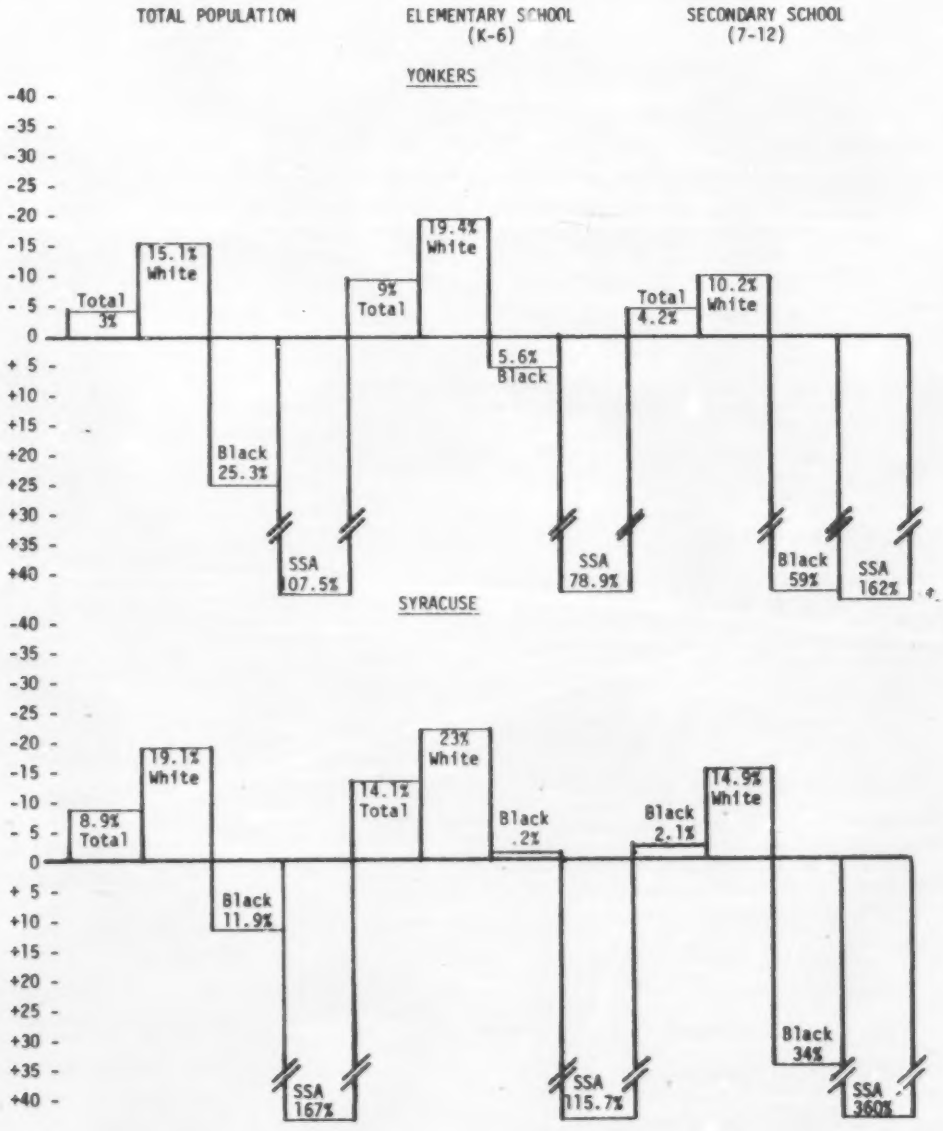
YONKERS CITY SCHOOL DISTRICT

Ethnic Group	1970-71	1971-72	1972-73	1973-74	1974-75	1975-76
TOTAL DISTRICT (K-12)						
No. White	24,859	23,911	22,869	22,446	21,585	21,097
% White	81.2	79.1	77.6	76.3	73.5	71.0
No. Black	4,128	4,248	4,446	4,594	4,807	5,175
% Black	13.5	14.1	15.1	15.6	16.4	17.4
No. S.S.A.	1,455	1,846	1,974	2,086	2,668	3,020
% S.S.A.	4.8	6.1	6.7	7.1	9.1	10.2
TOTAL	30,632	30,221	29,487	29,415	29,374	29,709
ELEMENTARY SCHOOL (K-6)						
No. White	13,126	12,413	11,474	10,814	10,592	10,569
% White	78.1	75.7	74.3	71.6	70.4	69.1
No. Black	2,602	2,666	2,647	2,723	2,667	2,748
% Black	15.5	16.3	17.1	18.0	17.7	18.0
No. S.S.A.	954	1,187	1,193	1,352	1,584	1,707
% S.S.A.	5.7	7.2	7.7	9.0	10.5	11.2
TOTAL	16,809	16,398	15,440	15,103	15,042	15,295
SECONDARY SCHOOL (7-12)						
No. White	11,733	11,498	11,395	11,632	10,993	10,528
% White	84.9	83.2	81.1	81.3	76.7	73.0
No. Black	1,526	1,582	1,799	1,871	2,140	2,427
% Black	11.0	11.4	12.8	13.1	14.9	16.8
No. S.S.A.	501	659	781	734	1,084	1,313
% S.S.A.	3.6	4.8	5.6	5.1	7.6	9.1
TOTAL	13,823	13,823	14,047	14,312	14,332	14,414

CHANGES IN THE POPULATION CHARACTERISTICS ON SELECT SCHOOL DISTRICTS FROM 1970-71 TO 1975-76



CHANGES IN THE POPULATION CHARACTERISTICS ON SELECT SCHOOL DISTRICTS FROM 1970-71 TO 1975-76



APPENDIX I

UNADJUSTED HOLDING POWER FIGURES BY RACIAL/ETHNIC GROUP FOR SELECTED DISTRICTS

	1974				1975				1976			
District	Black	White	SSA	Total	Black	White	SSA	Total	Black	White	SSA	Total
	*	**	***									
Albany	50%	112%	600%	89%	60%	110%	20%	89%	58%	110%	223%	90%
Binghamton	82%	106%	200%	110%	124%	93%	0%	94%	73%	87%	400%	87%
Lackawanna	73%	94%	71%	95%	80%	92%	63%	88%	66%	89%	36%	83%
Niagara Falls	51%	90%	350%	87%	65%	81%	175%	79%	71%	78%	100%	76%
Poughkeepsie	64%	53%	400%	59%	60%	72%	75%	69%	52%	78%	300%	69%
Schenectady	100%	86%	100%	89%	99%	82%	0%	83%	52%	66%	22%	65%
Utica	55%	83%	57%	83%	85%	83%	91%	83%	52%	85%	25%	80%
White Plains	67%	87%	100%	85%	89%	88%	93%	88%	114%	110%	100%	90%

*A figure less than 100% indicates that this class lost students as it moved from 9th to 12th grade due to mobility and/or dropping out.

**A holding power figure greater than 100% indicates that this class gained members between the 9th and 12th grade.

***The SSA population is highly mobile but also minimally represented in these cities. Thus, a 600% increase in SSA may merely reflect that in 9th grade 0 SSA students were present but by 12th grade there were 6. That is an increase of 600% but represents a very small absolute increase.

APPENDIX J

THREE ALTERNATIVE PROGRAMS AIMED AT MEETING THE NEEDS OF DIFFERENT POPULATIONS

WASHINGTON IRVING EDUCATIONAL CENTER

by Rev. Arthur Melius
Schenectady, New York

The Washington Irving Educational Center has fourteen hundred students all of whom are 16 years of age or over. Most are between 16 and 21. Basically, this is an alternative school system and must accept students from throughout the state. The program's emphasis is upon the individual student and meeting his or her needs. It is recognized that because most who attend are either dropouts or "discipline" problems it is important for the student to develop a better self-image and to have the opportunity to succeed academically. All are treated as adults. For example, there is a smoking room. Students are free to attend class whenever they choose and to leave class when they wish. The staff recognizes that not all students can spend long hours in a classroom. Credit is given by work done in class and by attendance. There is a minimum number of hours a student must spend in a class to be granted credit for it. Classes never exceed twenty-two students; the minimum is ten. There are as few rules as possible. For example, loitering is not permitted. A student is either in class or outside. Students spend an average of three hours a day in school. There they receive a basic educational program depending on their individual needs. English, reading comprehension, and history are basic subjects.

The staff is extremely willing to innovate. For example, the Center was among the first to have reading labs (1968), and life skills and career education classes. It was the first to offer cognitive-style mapping, which includes a personal interview and helps students to map out their educational and personal needs. The staff claims that it has very few discipline problems. In 1976, 208 students received high school diplomas.

WORLD OF WORK

The World of Work Program implements the hypothesis that a paid work experience will motivate an out-of-school youth to return to school and complete diploma requirements.

Sponsored by Rochester Jobs, Inc., in cooperation with the Rochester City School District and the Board of Cooperative Educational Services #1, the World of Work program is a work-study combination for high school dropouts.

The program provides an opportunity for those young people who have been "turned off" by the traditional high school to return to an academic situation and to attain a high school diploma or equivalency diploma while at the same time gaining valuable work-experience that prepares them for the world of work.

The program serves 150 to 200 16-20 year old dropouts in a half-time school, half-time paid work-training experience. The students' work experience consists of renovation of houses. They are under the supervision of multi-skilled tradesmen-instructors while performing their work experience.

The availability of the many and varied occupational agencies within Monroe County provides the program with additional programming without the duplication of effort. The Annex programs provide office practice, child care, cosmetology and auto mechanics for those students who feel unsuited for the housing renovation projects. In addition, students may attend BOCES #1 for the food service and cosmetology programs.

In a special facility rehabilitated by the students, the students pursue a standard high school diploma or an equivalency diploma, studying mathematics, social studies, English, science and other courses as they relate to success in the world of work.

For example, one group of students may learn mathematics by determining measurements and costs of materials used in the rehabilitation of the houses. For a joint project in English and social studies, students may visit a modern industrial plant and then write essays about how automation affects their lives.

At all times the curriculum and work experience are designed and revised to expose students to realistic goals in the world of work and then to provide the students the opportunity to acquire the knowledge and experience necessary to take the first steps toward those goals.

Taken From Rochester City School District Materials

ALPHA COMMUNITY SCHOOL

-A Partnership to meet students' diverse needs, Interests

by Sophia Perry

What do a public utility, an investment firm, lawyers, veterinarians, architects, research chemists, auto shops, and hospitals have in common? An interest in students - and a willingness to share their knowledge and experience with them through the experimental community 'mini' school, organized by the White Plains Schools. The Alpha Learnings community school is providing academic experience in a small group setting along with a strong career emphasis. It is one component of the total Alpha Learnings Program.

The other components of the Alpha Learnings program currently include the Educational Annex Program at New York Hospital-Cornell Medical Center, Westchester Division. Educage is a non-graded school program designed for young people who are seeking alternative options to help them achieve their fullest potential. It meets in classroom space provided by Grace Episcopal Church.

The Alpha Community school meets in classroom space provided without charge by Memorial Methodist Church, 250 Bryant Avenue. Academic Instruction in all the basic subjects-English, mathematics, science, social studies, and languages, is scheduled on Mondays, Wednesdays, and Fridays. Career experiences are scheduled on Tuesdays and Thursdays. Students also have time for independent study on the latter two days.

In addition to the many professional offices and business and industrial firms which have made their personnel and facilities available to students, many members of the faculty for the academic courses are volunteers from the community.

The major emphasis of the program is on bringing students and community together in an innovative approach to making education really come alive.

APPENDIX K

STATE OF NEW YORK

1977-1978 Regular Sessions

IN SENATE

June 2, 1977

Introduced by Sens. Beatty, Babbush, Bartosiewicz, Burstein, Garcia, McCall, Owens, Ruiz, Tauriello - read twice and ordered printed, and when printed to be committed to the Committee on Education AN ACT to amend the education law, in relation to involuntary transfers of pupils.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section thirty-two hundred fourteen of the education law is hereby amended by adding thereto a new subdivision, to be subdivision five, to read as follows:

5. Involuntary transfers of pupils who have not been determined to be handicapped as defined in section forty-four hundred one of this chapter.

a. The board of education, board of trustees or sole trustee, the superintendent of schools, or district superintendent of schools may transfer a pupil who has not been determined to be handicapped as defined in section forty-four hundred-one of this chapter from regular classroom instruction to an appropriate educational setting in another school upon the written recommendation of the school principal and following independent review thereof. For purposes of this section of the law, "involuntary transfer" does not include a transfer made by a school district as part of a plan to reduce racial imbalance within the schools or as a change in school attendance zones or geographical boundries.

b. A school principal may initiate a non-requested transfer of a pupil only when it is believed that such pupil would benefit from such a transfer, and would receive a more adequate and appropriate education in another school program or facility.

No recommendation for pupil transfer shall be initiated by the principal until such pupil and a person in parental relation has been sent written notification of the consideration of transfer recommendation. Such notice shall set a time and place of an informal conference with the principal and shall inform such person in parental relation and such pupil of their right to be accompanied by counsel or an individual of their choice.

c. After the conference and if the principal concludes that the pupil would benefit from a transfer and that the pupil would receive a more adequate and appropriate education in another school program or facility, the principal may issue a recommendation of transfer

to the superintendent. Such recommendation shall include a description of behavior and/or academic problem indicative of the need for transfer; a description of alternatives explored and prior action taken to resolve the problem. A copy of that letter shall be sent to the person in parental relation and to the pupil.

d. Upon receipt of the principal's recommendation for transfer and a determination to consider that recommendation, the superintendent shall notify the person in parental relation and the pupil of the prosposed transfer and of their right to a fair hearing as provided in paragraph c of subdivision three of this section and shall list community agencies and free legal assistance which may be of assistance.

The written notice shall include a statement that the pupil or person in parental relation has ten days to request a hearing and that the proposed transfer shall not take effect, except upon written parental consent, until the ten day period has elapsed, or, if a fair hearing is requested, until after a formal decision following the hearing is rendered, whichever is later.

Parental consent to a transfer shall not constitute a waiver of the right to a fair hearing.

$□2. This act shall take effect on the first day of September next succeeding the date on which it shall have become a law.

APPENDIX L

COMPARISON OF TOTAL NUMBER OF DROPOUTS AND SUSPENSIONS BY SECONDARY SCHOOL FOR THE DISTRICTS INCLUDED IN THE OFFICE OF CIVIL RIGHTS 1977 SAMPLE (FOR SCHOOL YEAR 1975-76) SOURCE: OCR 102

District	School	Total School Enrollment	% White	% Dropped Out	% Suspended Only Once	% Suspended More Than Once	% of Student Population Suspended
Amityville	Amityville Memorial H.S.	952	54.0	4.9	12.4	8.8	21.2
"	Amityville J.H.S.	1401	38.5	.9	9.5	12.6	22.1
Avon Central	Avon J.H.S.	720	98.6	2.2	7.0	4.2	11.1
Baldwin U.F.	Baldwin J.H.S.	1034	93.7	.1	1.6	.8	2.4
"	Baldwin H.S.	2167	97.8	1.9	.9	0	.9
"	Baldwin Harbor J.H.S.	933	97.2	0	3.3	.9	4.2
Baldwinsville	Baker H.S.	1910	99.2	4.5	4.5	3.3	7.7
"	Durgee J.H.S.	1100	99.0	0	7.9	1.6	9.5
Belmont	Belmont Central	609	99.7	.7	1.8	.3	2.1
Briarcliff Manor	Briarcliff H.S.	491	98.8	1.2	3.;	.6	4.3
"	Briarcliff Middle	302	98.7	0	.7	1.3	2.0
Bridgehampton	Bridgehampton School	250	19.6	.8	2.8	.8	3.6
Brighton	Twelve Corners Middle	741	93.1	.8	1.2	.1	1.3
"	Brighton H.S.	1440	96.2	.5	6.0	1.9	7.9
"	French Road Middle	622	95.7	0	0	0	0
Buffalo	Bennett H.S.	1637	47.3	4.3	8.2	4.9	13.2
"	Burgard Vocational H.S.	1017	50.5	9.5	2.2	0	2.2
"	Clinton J.H.S.	581	0	2.0	37.3	6.0	43.4
"	East H.S.	1355	0	13.0	8.2	1.0	9.2
"	Emerson Vocational H.S.	634	51.6	7.3	2.0	0	2.0
Buffalo (Cont'd.)	Fillmore Middle	691	1.4**	0	36.3	13.3	50.2
"	Foster Hasten Voca. H.S.	662	1.7**	19.5	6.0	.9	6.8
"	Genesee Humboldt J.H.S.	840	4.4*	1.9	4.8	.1	5.0
"	Grover Cleveland H.S.	1142	43.3	27.0	9.5	1.8	11.4
"	Hutchinson Central Tech.	1180	68.3	2.6	3.0	.1	3.0
"	Kensington H.S.	1715	46.9	9.5	5.4	11.7	17.1
"	LaFayette H.S.	1144	63.4	6.2	45.0	17.0	62.0
"	McKinley Vocational H.S.	1155	77.3	3.6	1.2	.1	1.3
"	Riverside H.S.	1416	88.7	11.4	.5	.8	1.3
"	Seneca Vocational H.S.	1158	71.0	4.1	.6	.2	.8
"	South Park H.S.	1991	87.2	7.7	15.0	.8	15.8
"	Southside J.H.S.	1276	86.0	4.0	4.8	.5	5.3
"	St. Augustine Center	50	4.0	20.0*	2.0	0	2.0
"	West Hertel Middle	1205	65.8	0	3.0	.6	3.7
Byron-Bergen	Byron-Bergen J.S.H.S.	733	98.6	2.1	2.9	2.7	5.6
Cazenovia Central	Cazenovia J.S.H.S.	1168	99.8	1.2	9.6	1.2	10.8
"	Cazenovia Middle	1168	99.8	46.1	0	0	0
East Aurora	East Aurora Middle	822	99.4	0	1.2	0	1.2
"	East Aurora H.S.	1143	99.7	1.5	2.9	.6	3.5
East Hampton	East Hampton H.S.	NA					
"	East Hampton Middle	NA					
East Islip	East Islip H.S.	1786	98.9	3.0	5.7	1.7	7.4
"	East Islip J.H.S.	NA					
"	Islip Terrace J.H.S.	1092	92.0	.3	6.8	6.2	13.0
Franklin Central	Franklin Central School	490	99.4	1.4	.2	0	.2
Freeport	Freeport H.S.	2373	58.7	2.2	13.3	2.5	6.3
"	John W. Dodd J.H.S.	1255	43.1	0	14.0	9.8	23.8
Germantown Central	Germantown School	917	97.6	1.4	.1	.5	1.6
Glens Falls	Glens Falls H.S.	895	98.0	4.4	3.5	1.1	4.6
"	Glens Falls J.H.S.	891	97.9	1.2	10.2	2.6	12.8
Gowanda Central	Gowanda J.S.H.S.	1102	80.9	3.0	1.7	2.1	3.8
Greenwich Central	Greenwich J.S.H.S.	716	99.7	3.5	5.7	4.3	10.1
Greenville Central	Greenville J.S.H.S.	834	99.2	3.2	2.8	0	2.8
Lackawanna	H. Hoover J.H.S.	832	97.8	.4	1.1	.6	1.7
"	Lackawanna S.H.S.	1208	81.4	4.1	7.2	3.4	10.6
"	Lincoln J.H.S.	333	24.3	1.5	9.0	6.6	15.6
Lake George	Lake George J.S.H.S.	581	99.3	.3	1.0	0	1.0
Lawrence	Lawrence J.H.S.	1766	90.9	0	5.6	3.5	9.1
"	Lawrence S.H.S.	2097	91.8	2.9	5.8	3.3	9.1
Mechanicville	Mechanicville Middle	640	100.0	0	.3	.2	.5
"	Mechanicville H.S.	640	100.0	1.6	5.5	.8	6.3
Middletown	Middletown H.S.	1336	86.4	11.2	3.1	8.7	11.8
"	Veraldi J.H.S.	1446	85.5	.1	3.4	2.1	5.4
Monroe-Woodbury	Monroe Woodbury J.H.S.	885	99.2	0	2.3	1.9	4.2
"	Monroe Woodbury H.S.	1931	97.8	4.2	33.8	.9	34.6
Monticello	Monticello Middle	963	79.5	0	4.5	2.6	7.0
"	Monticello H.S.	1336	86.4	3.2	8.4	4.6	13.0
Morristown Cent.	Morristown Central	689	98.8	2.3	2.5	2.2	4.7
Mt. Morris	Mt. Morris J.S.H.S.	483	96.7	1.7	5.0	1.2	6.2

SEE KEY FOLLOWING PAGE

District	School	Total School Enrollment	% White	% Dropped Out	% Suspended Only Once	% Suspended More Than Once	% of Student Population Suspended
Niagara Falls	Charles B. Gaskill J.H.S.	961	NP	NP	NP	NP	NP
"	LaSalle J.H.S.	1130	91.2	NP	NP	NP	NP
"	LaSalle H.S.	2106	90.1	NP	NP	NP	NP
"	Niagara Falls H.S.	1610	76.4	NP	NP	NP	NP
"	North J.H.S.	677	69.6	NP	NP	NP	NP
"	South J.H.S.	601	76.7	NP	NP	NP	NP
"	Trott Vocational H.S.	563	76.9	NP	NP	NP	NP
N. Adirondack Cnt.	Ellenburgh J.S.H.S.	893	99.8	3.9	NP	NP	NP
North Babylon	North Babylon H.S.	2249	84.7	2.1	3.0	2.8	5.7
"	Peter J. Brennan J.H.S.	1077	77.6	.1	.2	.7	4.8
"	Robert Moses J.H.S.	1259	84.1	.5	2.6	1.0	3.6
Oceanside	Oceanside J.H.S.	1448	97.7	0	5.5	1.5	7.0
"	Oceanside S.H.S.	2700	98.2	2.0	3.4	.7	4.1
"	Walter S. Boardman J.H.S.	1006	100.0	0	2.7	1.3	4.0
Onteora	Onteora H.S.	1823	96.5	2.2	7.7	3.6	11.3
Palmyra-Macedon	Palmyra-Macedon Middle	893	98.9	0	NA	NA	NA
"	Palmyra-Macedon H.S.	1061	99.5	4.7	**	2.4	6.4
Penn Yan	Penn Yan J.H.S.	523	99.4	0	3.8	.6	4.4
"	Penn Yan Academy	1026	99.5	2.6	3.4	.9	4.3
Poughkeepsie	Poughkeepsie H.S.	1075	58.8	10.3	12.2	9.3	21.5
"	Poughkeepsie Middle	1487	53.3	1.8	5.0	5.9	10.9
Rochester	Benjamin Franklin H.S.	2516	29.5	3.9	16.1	.8	16.8
"	Charlotte J.S.H.S.	1286	80.0	1.3	NA	NA	NA
"	East J.S.H.S.	2518	69.0	1.2	7.6	.5	8.1
"	Edison Tech.Industrial	1102	73.1	1.5	2.9	.5	3.4
"	Frederick Douglass J.H.S.	1285	30.2	.9	35.4	8.1	43.5
"	Interim J.H.S.	443	59.1	0	6.8	.7	7.4
"	Jefferson J.S.H.S.	1393	71.6	4.7	13.6	2.4	16.0
"	John Marshall J.S.H.S.	1682	86.2	3.5	6.1	.8	7.0
"	Madison H.S.	1838	9.6	5.7	8.1	.2	8.3
"	Monroe J.S.H.S.	1812	45.3	1.7	26.8	4.8	31.5
"	Neighborhood St. Academy	119	.8	79.8	0	0	0
"	Operation Young Adult	61	52.4	0	93.4*	0	93.4*
"	School without Walls	223	82.0	10.8	3.1	0	3.1
"	Wilson J.H.S.	1112	12.2	.1	38.8	3.9	42.7
"	World of Work	125	NA	NA	NA	NA	NA
"	Young Mothers Center	57	8.8	0	0	0	0
Salamanca	Salamanca H.S.	1078	89.0	3.0	2.7	.3	3.0
Seaford Union	Seaford J.H.S.	NA					
"	Seaford H.S.	1147	99.3	2.0	13.7	1.8	15.5
Star Point	Star Point J.S.H.S.	1454	99.5	2.4	9.2	10.0	19.2
Syracuse	Blodgett J.H.S.	938	60.2	3.7	16.0	8.7	24.7
"	Central Tech.Occup.H.S.	NA					
"	Clary J.H.S.	NA					
"	Corcoran H.S.	1563	89.6	8.3	20.3	0	20.3
"	Eastwood J.H.S.	NA					
"	George Fowler H.S.	1179	68.3	17.8	27.7	4.7	32.4
"	Grant J.H.S.	NA					
"	H. S. Smith J.H.S.	NA					
"	Henninger H.S.	1817	80.4	5.3	9.4	4.1	13.4
"	James A. Shea J.H.S.	NA					
"	Lincoln J.H.S.	512	73.8	.6	(data not good)		
"	Nottingham H.S.	981	68.1	2.0	6.4	1.0	7.4
"	Roosevelt J.H.S.	717	32.6	0	12.3	8.1	20.4
"	T. Aarne Levy J.H.S.	574	67.6	.3	13.6	10.8	24.2
Thousand Islands	Thousand Islands H.S.	687	99.9	2.5	2.2	1.2	3.4
Utica	John F. Kennedy H.S.	843	94.1	2.8	3.0	.4	3.3
"	Thomas F. Proctor H.S.	1432	90.2	3.0	1.3	0	1.3
"	Utica Free Academy	1715	84.4	14.8	2.3	.8	3.2
West Irondequoit	Irondequoit H.S.	1876	97.4	2.3	2.9	.2	3.8
"	Iroquois Middle	515	94.2	0	1.4	.2	1.6
"	Rogers Middle	473	97.3	0	0	0	0
Wyandanch Union	Wyandanch Memorial J.S.H.S.	961	.7	2.1	7.0	.8	7.8

* = Between 20 & 100 students of this origin are enrolled in the school
** = Less than 20 students of this origin are enrolled in the school
NA = Not available (district did not submit any data to OCR)
NP = Not provided by district in this form
-- = 0 members of tis origin in school or district

NOTE:
At the time these data were compiled, OCR had not received the data for the following districts: Amherst, Clarkstown, Copiague, Eggertsville, Hamburg, LaFayette, Middle Island, Roosevelt, Union, Shoreham, Syosset, Three Villages, and Valley Stream. Therefore, their data are not included here.

APPENDIX M

ALBION CENTRAL SCHOOL
ALBION, NEW YORK

IN-SCHOOL CORRECTION

I. The Albion Central School is a district serving approximately 3,200 children in grades K-12 which is situated in Orleans County. The Albion Middle School and Albion High School have been operating an in-school correction program since September, 1974. Information concerning the program can be obtained by contacting either Mr. Robert Huyck, Middle School Principal, or Mr. John Greene, High School Principal.

II. IN-SCHOOL CORRECTION AT THE ALBION MIDDLE SCHOOL

To provide a disciplinary tool short of suspension, the Albion Middle School maintains an in-school correction center staffed by a certified teacher. Students may be assigned to the center for up to five days by the principal.

The correction center is located in a room slightly smaller than a regular classroom. It contains desk and chairs, text and reference books, and an office for individual counseling.

Students may be assigned to the center for truancy, tardiness, and other violations of school rules. When the student is assigned, the parents are notified by phone and registered letter, and each of his teachers is notified and is required to send regular classwork to the center supervisor. The supervisor is responsible for ensuring that the student completes his regular work. He also serves as a tutor. The supervisor escorts the students to lunch as a group. Otherwise, the students stay in the center.

Complete files are kept on students assigned to the center, including reason for assignment, duration of stay, work completed, and behavior.

The school counselor works with the students three times each week, the psychologist twice each week. Teachers also visit the center to tutor and counsel students.

If several assignments to the center are required for one student and there is no change in behavior, the student may be suspended or taken to a superintendent's hearing. In most cases, that is not necessary. The average length of stay in the center is less than two days.

In summary, the center provides an effective tool for administrative use to change behavior while keeping the student working on his regular instructional program.

III. IN-SCHOOL CORRECTION AT THE ALBION HIGH SCHOOL

As an alternative means to improve student control and discipline, an "in-school corrective center" was established for the Albion Central School in 1974-75.

This center is staffed by a fully certified teacher. He supervises the center and obtains classwork from the student's regular teachers and works individually with all children assigned to the center. The student is not punished gradewise for time spent in the center, and is allowed to make up missed exams, labs, music lessons, etc. The center is viewed as a short-term (usually 1-5 day, average 2 days) corrective reassignment in which direct exposure to peers and the classroom is lost. Throughout the week, the school nurse, the psychologist and guidance counselors work with the students. A goal of the center is to keep the problem student in school, instead of suspending him. Another important aspect is that he is made to do school work. He is directly tutored by a teacher and not allowed to just sit there and do nothing.

A student is assigned to the center by the building principal. Teachers may make a

suggestion on a "Discipline Report" form, but may not make direct placement themselves. Reasons for this corrective reassignment vary. A school discipline code is given out to every student and reviewed periodically, with emphasis at the beginning of the year. Once a student has been placed in the center, a phone call is made to the parents/guardians. If the parent is contacted, a follow-up letter is sent home via regular mail. If neither parent is reached, the follow-up letter is sent certified mail.

A separate discipline folder is kept for all students who have had discipline action requiring placement in the in-school correction center. This file is kept within each building and is not part of the student's permanent record.

At the center the student's behavior is also recorded by the corrective teacher. This can be referred to by the building principal to facilitate the provision of special services. If assignment to the center proves unsuccessful, other action is considered.

Students who go to the "CR" (correction room) report first to homeroom where they participate in the opening of the school day. At the end of homeroom, they report to the center. The high school center is located in a quiet area of the school where traffic is light. It is approximately one-half the size of a regular classroom. There is a student bulletin board, ten study carrels and a carpeted floor. Nearby there is a separate lavatory facility for use by students assigned to the center. For lunch the students are escorted by their corrective teacher and they eat at an off-time in the regular cafeteria, managing to avoid contact with other students.

Experience has shown that the rate of referrals peaks in late September, October and early November. It then drops off until March and picks up in June.

PASS: A Federally Approved Program*

During the four-year period, 1968 to 1972, suspension increased 200% in the Pinellas County Schools (St. Petersburg, Fla.). Student suspension zoomed, according to district spokesmen, because student behavior nosedived. In 1971, approximately 1,000 pupils per month were being suspended from the urban school district because of "inappropriate behavior." At that time one high school and two junior high schools in the district were selected to try a new program, which was to be funded by Title III of the Elementary and Secondary Education Act.

The program, PASS (Positive Alternatives to Student Suspensions), has reduced the number of suspensions as much as 30%. It has been accepted by the federal government as an exemplary program worthy of replication by other school districts. A federal panel of evaluation specialists and educators, drawn from the U.S. Office of Education and the National Institute of Education, judged that the program could achieve similar results if implemented in other school districts.

PASS' objective is not only to decrease significantly the number of students suspended from school but also to decrease the number of students referred to administrative personnel for punishment due to unacceptable behavior. The major activities of the program include:

- Having a social worker and school psychologist provide individual and group consultation sessions which teach school faculties how to interact effectively with teen-age students.
- Establishing "time-out" rooms which are managed by a teacher or paraprofessional who is trained and supervised by the school psychologist and the social worker.
- Providing counseling for students who are experiencing serious or recurring interpersonal confrontations.
- Providing counseling to parents; assisting them in the development of communication and problem-solving skills.

All school personnel - administrators, teachers, counselors, secretaries, custodians, paraprofessionals and lunchroom personnel - are encouraged to participate in PASS work-

*Re-printed from Suspensions and Expulsions, a publication of the National School Relations Association, 1976.

shops. The workshops may be one-day events or seminars continuing throughout the year. PASS personnel attempt to help faculty members learn how to create a humanized, caring school that meets the needs of youth. PASS also offers teachers and administrators a guided group-interaction program. The participants meet once a week for 12 weeks in two-hour, after-school sessions. They learn values clarification, transactional analysis and other applied behavioral science techniques in an attempt to better understand themselves and their students.

The time-out room is operated on the theory that many school behavioral problems can be eliminated if intervention takes place before punishment becomes necessary. The room is not intended to be used as a place for punishing students, although they can be placed there temporarily when appropriate. Students may also request placement in the room. Length of stay is determined by individual circumstances in each case. The time out room allows students to talk out their problems with a "facilitative listener." The listener aids students in forecasting consequences, exploring alternatives and making decisions about future behavior. PASS director Ralph Bailey stresses that much of the success of the time-out room depends on the facilitator.

PASS offers a "school survival course" for students who have a negative self-perception or who experience frustration. Students learn in the 12-week program, how they can survive in school and receive positive feedback from teachers and other students. The program requires a skilled leader and one hour a week from students. Use of the survival course over a two-year period resulted in a decrease in teacher referrals and in suspensions for the enrolled students, according to Bailey. A spin-off is called the "home survival course." It is aimed at students who are experiencing difficulties both at home and at school. "The course can be beneficial without parental awareness," says Bailey, "but it is more effective when parents participate in a parent training group or receive counseling from PASS personnel."

Results: PASS was piloted for two years in three secondary schools. Currently it is being fully implemented in five schools and partially implemented in another seven schools.

Suspensions at the targeted high school dropped from 28 per 100 students in 1971-72 to 21 per 100 students in 1973-74. At the targeted junior high schools, suspensions dropped from 35 per 100 studenets in 1971-72 to 26 per 100 students in 1973-74. By comparison, nearby schools were experiencing increases in suspensions during the same time.

(Contact: Ralph E. Bailey, Director, Pupil Services Demonstration Project, All Children's Hospital, 801 6th St. S., St. Petersburg, Fla. 33701).